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OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1854,

IN THE

SEVENTY-EIGHTH YEAR OF INDEPENDENCE.

---

WITH AN APPENDIX.

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HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1854.

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P415

1879

1854

[BY AUTHORITY.]

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# LAWS

OF THE

## COMMONWEALTH OF PENNSYLVANIA.

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No. 1.

### AN ACT

Repealing certain sections of the act, entitled "An act incorporating the Osceola Plank Road Company, and for other purposes," passed the twenty-fifth day of March, Anno Domini, one thousand eight hundred and fifty-two; relating to assessments and assessors in Tioga county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the fifth, sixth, seventh and eighth sections of the act of the twenty-fifth day of March, eighteen hundred and fifty-two, entitled "An Act to incorporate the Osceola plank road company, and for other purposes," be and the same is hereby repealed; and all the laws relating to assessment and assessors in Tioga county altered, repealed, or abolished by said sections, be and they are hereby restored.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.



## No. 2.

## A FURTHER SUPPLEMENT

To an act providing for the publication of the Colonial Records, and other original papers in the office of the Secretary of the Commonwealth, approved February fifteenth, one thousand eight hundred and fifty-one.

## Preamble.

WHEREAS, By an act supplementary to an act providing for the publication of the Colonial Records, and other original papers in the office of the Secretary of the Commonwealth, approved the first day of March, one thousand eight hundred and fifty-two, the appointment of an editor to prepare all necessary notes, indices, and such other matter as may be necessary and proper, is provided for; also to superintend the publication of the Pennsylvania Archives, as far as Anno Domini, one thousand seven hundred and eighty-three:

*And whereas*, Samuel Hazard was, by said supplementary act, appointed the aforesaid editor, from the commencement of said work by the printer:

*And whereas*, The publication thereof has progressed to the completion of seven volumes, extending the period of one thousand seven hundred and seventy-nine, and one thousand seven hundred and eighty, leaving four years to complete the original design of the General Assembly:

*And whereas*, The term for which the said editor was appointed expired on the twenty-seventh of October last, notwithstanding which, in order not to interrupt the publication contracted for by the State with the printers, he has, since that date, continued his services without receiving any compensation for the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Samuel Hazard be and he is hereby appointed and continued editor of the Pennsylvania Archives, for the purposes, and to receive the salary at the rate of fifteen hundred dollars per annum, payable in the same manner as is provided for by the aforesaid recited supplementary act, approved on the first day of March, one thousand eight hundred and fifty-two: the said salary to commence on the twenty-seventh day of October last, and to continue until the publication shall have been completed to the year one thousand seven hundred and eighty-three, as contemplated by the contracts with the printers, and conformably with the acts to which this is a supplement: *Provided*, Nothing herein contained shall be construed to extend his appointment beyond the first day of January, Anno Domini, one thousand eight hundred and fifty-five.

Samuel Hazard  
appointed and  
continued editor  
of Pennsylvania  
Archives.

## Proviso.

## Salary.

SECTION 2. That the sum of seven hundred and fifty dollars be and the same is hereby appropriated for the payment of the

salary of Samuel Hazard, for services rendered, and to be rendered, under the act to which this is a supplement.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twelfth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 3.

AN ACT

Changing the place of holding Elections in the township of Canton, county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the general, special, and township elections in the township of Canton, Bradford county, shall be held at the house now occupied by A. E. Spalding.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 4.

AN ACT

Relative to the North Lebanon Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be lawful for the*

Board of directors to consist of six, instead of twelve persons. stockholders of the North Lebanon railroad company, annually to elect six directors of the said company instead of twelve, as heretofore provided, four of whom, including the president, shall constitute a quorum.

Authority to borrow money. SECTION 2. That the said North Lebanon railroad company is hereby authorized to borrow any sum, not exceeding one hundred thousand dollars, redeemable in seven years, at a rate of interest not exceeding seven per centum per annum, payable semi-annually, for the construction of their said railroad; and shall have power and authority to mortgage the said road as security for the liquidation of said loan: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

Provide.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 5.

## AN ACT

To incorporate the borough of East Mauch Chunk.

East Mauch  
Chunk incorpora-  
ted

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, all that part of the borough of Mauch Chunk, in the county of Carbon, which is situate, lying, and being on the east side of the centre of the Lehigh river, bounded northwardly by the township of Mauch Chunk, eastwardly by the township of Penn Forest, southwardly by the township of Franklin, and westwardly by the Lehigh river, and part of Mauch Chunk township aforesaid, shall be and is hereby erected into a borough, separate and distinct from that part of the borough of Mauch Chunk which lies upon the west side of the centre of said river, to be called the Borough of East Mauch Chunk.

Officers.

SECTION 2. That the corporate officers of said borough shall be a chief burgess, and a town council composed of six members.

Election of officers.

SECTION 3. That at the first election for borough officers, the citizens of said borough, qualified as is required by existing acts of Assembly, shall elect one person for chief burgess, to hold his office one year, and six persons for town council; two of the persons so elected for town council to hold their offices one year, two to hold their offices two years, and two to hold their offices three years: *Provided*, That the person or persons elected to



any office in said borough, shall be qualified as is required by existing laws to hold such office, and that he, or they, shall serve until a successor or successors are duly elected and qualified.

SECTION 4. That the said chief burgess and town council, in addition to the duties imposed upon them by existing laws, shall have the same power and authority as supervisors and overseers of the poor of townships to levy and collect road and poor taxes, and they shall also annually, within ten days after any borough election, appoint one qualified citizen of said borough for supervisor of the highways, and one qualified citizen of said borough overseer of the poor of said borough, who shall hold their offices one year, and until others are duly appointed and qualified: *Provided*, That said chief burgess and town council shall have power and authority to remove any officer appointed by them for any neglect of duty or official misconduct, which shall appear to said burgess and town council reasonable cause for such removal.

SECTION 5. That at the first election aforesaid, the qualified electors of said borough shall elect one person for treasurer of said borough, to hold his office for the term of one year, and three persons for auditors of said borough; one person so elected auditor of said borough, to hold his office one year, one person to hold his office two years, and one person to hold his office three years; and the electors aforesaid, shall annually thereafter elect one person for treasurer, and one person for auditor of said borough.

SECTION 6. That within ten days after being notified of their election, the persons elected town council of said borough shall decide, by lot, which of them shall hold their offices one, two, and three years respectively; and at the same time, in like manner, the persons elected auditors of said borough, shall decide which of them shall hold his office one, two, and three years respectively.

SECTION 7. That the auditors of said borough shall have the same power and authority, as by law is given to county and township auditors, to compel the appearance of witnesses, and the production of books and papers before them, and in case of the neglect or refusal of any officer of said borough to submit his accounts before them, said borough auditors shall proceed as is directed by law in such case made and provided in reference to county and township auditors.

SECTION 8. That the borough and general election in said borough, shall be held at the house of Solomon Dreisbach, in said borough, at the time fixed by existing laws for holding township and general elections.

SECTION 9. That Solomon Dreisbach, of said borough, is hereby appointed and designated to give the notice required by law, of the time and place of holding the first election in said borough; said notice to be given by at least six written or printed handbills, posted in the most public places in said borough.

SECTION 10. That Jonathan R. Twining is hereby nominated and appointed judge, and Thomas W. Seigfried and Joseph Butler are hereby nominated and appointed inspectors of said first election: *Provided*, That in case the said judge and inspectors, or either of them shall fail to attend at the time and place of holding such election, their places may be supplied by the elec-



tors present, in the manner directed by law for supplying vacancies in such offices at township elections.

ect to provis-  
so, certain act.

SECTION 11. That the said borough, except where otherwise provided for in this act, shall be subject to the provisions of the act of Assembly of this Commonwealth, entitled "An Act regulating boroughs," approved the third day of April, Anno Domini, one thousand eight hundred and fifty-one.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 6.

## AN ACT

Authorizing the board of School Directors of the borough of Washington in Washington county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the directors of the common schools of the borough of Washington, in the county of Washington, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding twelve thousand dollars, for the purpose of paying for the erection and construction of the new school house building, now in process of erection in said borough, and it shall and may be lawful for the board of school directors of said borough, to secure the money so borrowed by bond or bonds with mortgage or mortgages upon the real estate belonging to the common school district of said borough, or otherwise as said directors may direct: *Provided,* That no certificates of loan for the sum or sums so borrowed shall in any case be issued for a less sum than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This twenty-fifth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 7.

## AN ACT

Relative to the State Library and Librarian.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the State Librarian shall hereafter be appointed every third year by the Governor, by and with the advice and consent of the Senate, and shall hold his office from the first Monday in February for and during the term of three years, if he shall so long behave himself well, and he shall be liable to be removed from office for misbehavior or misconduct by the Governor at any time during his term, and any vacancy that may occur in the said office shall be supplied by a new appointment for the unexpired term of the former incumbent: *Provided,* That on the event of a removal by the Governor of a librarian, he shall communicate his reasons therefor to the Senate.

Appointment of  
librarian.

SECTION 2. That before entering on the duties of his office the said State Librarian shall be sworn or affirmed to discharge the duties thereof with fidelity, and give bond to the Commonwealth with two or more sureties, to be approved of by the Governor, in the sum of two thousand dollars, for the faithful performance of the duties of his office; and he shall have charge of and be responsible for the preservation and safe keeping of the State Library; and during the recess of the Legislature he shall, under the supervision of the clerks of the respective Houses, have charge of all the books, papers and documents in the Legislative halls; and he shall receive and disburse all moneys that are or may be appropriated for library purposes, and keep regular and accurate accounts thereof, which shall at all times be open to the inspection of the joint library committee, or any other committee appointed for that purpose by either branch of the Legislature; which accounts shall be annually settled by the accounting officers of the Commonwealth, in the same manner as the accounts of other public officers are now or shall hereafter be settled; and all expenditures for or on account of the library shall be made under the orders and directions of the joint library committee.

Librarian to be  
sworn, and to give  
bond.

SECTION 3. That the Librarian first appointed under this act, shall enter upon and hold his office, as mentioned in the first section of this act, from the first Monday of February, one thousand eight hundred and fifty-four, and the said Librarian shall receive an annual salary of eight hundred dollars per annum, payable quarterly.

Salary.

SECTION 4. That the State Librarian shall annually report to the Legislature in the month of January, the number of volumes contained in said library, together with the number of volumes that have been purchased, and the number that have been lost or unreturned during the preceding year; also the amount of monies that he has received and expended, designating whether for the purchase of books or for the ordinary expenses of said library.

Librarian to  
make annual re-  
port.

Suits to be  
brought in certain  
cases.

SECTION 5. That the said Librarian shall be authorized to bring suit, in the name of the Commonwealth, against any person obtaining a book from the library and not returning the same in the time fixed by the library rules, or against any person in whose possession such book may be found, upon a refusal to return the same upon demand to the Librarian after the proper time for its return, and in any suit brought under this act the Librarian shall be a competent witness, and recovery shall be had of double the value of such book unreturned or withheld.

Library to be kept  
open certain  
hours.

SECTION 6. That it shall be the duty of the said Librarian to keep open for the use of members of the Legislature, visitors, citizens and strangers, the library rooms every secular day between the hours of nine a. m. and two p. m., and during the session of the Legislature from nine a. m. to one p. m., and from two to five p. m., and from seven to nine in the evening; and the Librarian shall reside in Harrisburg during his continuance in office.

Repeal.

SECTION 7. That so much of any act or acts of Assembly as are hereby altered or supplied, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 8.

## A FURTHER SUPPLEMENT

To the act incorporating the Monongahela Navigation Company.

Company author-  
ized to extend  
their works, and  
to increase their  
capital, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, 'That for the purpose of enabling the Monongahela navigation company to extend their works, the said company are hereby authorized to increase their capital, by receiving subscriptions thereto, to any amount not exceeding three hundred thousand dollars; and the said company are hereby required to put lock and dam, number five, under contract within sixty days after the passage of this act, and complete the same for navigation by the first of June, Anno Domini, one thousand eight hundred and fifty-five, and sooner if practicable; and that lock and dam number six, shall be put under contract within the present year, and completed on or before the first day of December, one thousand eight hundred and fifty-five, and sooner if practicable; and that*



a sufficient number of locks and dams to continue the improvement to the Virginia State line, above lock and dam number six, shall be put under contract as soon as twenty-five thousand dollars shall be subscribed to the capital stock of said company by the citizens of Greene and Fayette counties, Pennsylvania, and the citizens of Virginia, and shall be completed within one year after said subscription is made; but in no event shall the completion of the locks and dams above number six, be delayed after the first day of December, one thousand eight hundred and fifty-seven, but shall, at said time, be fully completed for all the purposes of navigation, and sooner if practicable: *Provided*, That the said company shall not hereafter be liable for damages which may be done to property lying in the vicinity of any portion of their line, except as is provided by an act, entitled "An Act to authorize the Governor to incorporate a company to make a lock navigation on the river Monongahela," passed the thirty-first day of March, Anno Domini, one thousand eight hundred and thirty-six, and an act, entitled "An Act declaratory of the act passed on the thirty-first day of March, one thousand eight hundred and thirty-six, entitled 'An Act to authorize the Governor to incorporate a company to make a lock navigation on the river Monongahela,' " approved on the twenty-fifth day of April, one thousand eight hundred and forty-four.

Proviso

SECTION 2. That the said company are hereby authorized to issue stock, and distribute the same, or the proceeds of the sale thereof, pro rata amongst the owners of the present stock of the company, to an amount equal to the sum or sums which may have been expended in the construction of their improvement, and which has not heretofore been represented by stock in the company; and also, for such further amount as may hereafter be applied, out of the earnings of the company, towards the construction of the extension hereby authorized, or to the payment of the principal or interest upon any bonds or obligations of debt which have been, or may be issued for the construction or extension of said improvement.

Company authorized to issue stock.

SECTION 3. That when lock and dam, number five, shall have been completed and ready for navigation, the said company shall be entitled to charge and receive, on any part of their improvement, such rates of toll and charges as shall be just and reasonable: *Provided always*, That the net dividends shall not exceed the limitation prescribed by the fifth section of the supplement to an act, entitled "An Act to authorize the Governor to incorporate a company to make a lock navigation on the river Monongahela," passed June twenty-fourth, Anno Domini, one thousand eight hundred and thirty-nine; the said dividends to be declared semi-annually on the second Thursday of January and July in each year: *Provided*, That the rates of toll, and charges upon coal shall not, at any time, be increased above the rates at present charged upon the same.

Tolls

SECTION 4. That all subscriptions heretofore made to the stock of said company are hereby legalized and made valid and effectual, to all intents and purposes, notwithstanding any defect in the manner or form of subscribing the same: and that said company are hereby authorized to pay interest at the rate of six per centum per annum upon all payments which may be made on account of subscriptions to the increased capital stock authorized by this act, until the completion of the navigation to the Virginia State line, after which time, the owners of such increased

Subscriptions legalized.



stock shall be entitled to the same privileges and immunities as the other stockholders of said company.

Annual meeting  
of stockholders.

SECTION 5. That the annual meeting of stockholders for the election of officers, as provided for in the fourth section of the charter of said company, shall hereafter be held on the second Thursday of January in each and every year; and at all meetings of the stockholders, each stockholder shall be entitled to one vote for each and every share of stock held by him.

Repeal.

SECTION 6. That so much of any act or acts of Assembly as are hereby altered, amended, or supplied, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 9.

## AN ACT

To incorporate the Northern Home for Friendless Children.

Preamble.

WHEREAS, A number of citizens of this Commonwealth have formed an association for the laudable and benevolent purpose of educating and providing for friendless and destitute children,  
*And whereas,* The General Assembly of this Commonwealth are willing to encourage such purposes; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That Thomas Earp, Thomas S. Mitchell, William R. Stockton, John W. Claghorn, Isaac Collins, John M. Ogden, James J. Barclay, J. Fisher Leaming, Thomas Robinson, William S. Perot, Isaac F. Baker, Henry Perkins, Joseph Jeans, H. W. Safford, A. V. Murphey, Charles Keen and their associates, be and they are hereby incorporated and made a body politic in law, by the name, style and title of the Northern Home for friendless children, and by that name, style and title shall have perpetual succession, with power to have a common seal and the same to change at pleasure, to make contracts relative to the institution, to sue and be sued, to plead and be impleaded, and by that name, style and title be capable of purchasing, holding, taking and conveying any estate, real or personal, for the use of the said corporation: *Provided,* The annual income of said estate shall not exceed ten thousand dollars, nor be applied to any other purposes than those for which this association is formed; to fix the quorum of the board of managers and of the board of trustees,

Style.

Privileges.

and appoint such officers as may be requisite to establish such other by-laws, rules and regulations as the said corporation shall judge necessary or expedient for the due management of the concerns of the said corporation: *Provided*, That the same be not repugnant to the constitution of the United States or of this Commonwealth.

SECTION 2. That every person who shall annually pay to the treasurer of the Northern Home for friendless children on or before the first day of May, the sum of one dollar or upwards, shall be a member of the said Northern Home for friendless children while such person so contributes, and every person who shall pay twenty dollars at one time, shall be a member for life. Who may be members.

SECTION 3. The affairs and concerns of the said Northern Home for friendless children shall be conducted by a board of managers consisting of twenty-four ladies, and a board of trustees consisting of sixteen gentlemen; and the members of the said corporation shall meet on the second Tuesday in May next, at such hour and place as the board of trustees shall designate, and elect a board of twenty-four managers, six of whom shall be elected to serve for one year, six to serve for two years, six to serve for three years, and six to serve for four years; and also a board of sixteen trustees, four of whom shall be elected to serve for one year, four for two years, four for three years, and four for four years; and the members of the said corporation shall annually thereafter on the second Tuesday in May, at such hour and place as the said board of trustees shall designate, elect six managers and four trustees, to serve for four years, and shall then and there also elect a manager or managers, trustee or trustees, to fill any vacaney or vacancies that may be occasioned by the death, resignation, removal or neglect, or refusal to act of any manager or trustee: *Provided*, That the managers and trustees chosen in May last, shall continue to act until others shall be elected: *And provided further*, That in case an election shall not be held at the time provided, the board of trustees shall give at least ten days' notice that another election will be held, which said election shall be held within one month after the said second Tuesday in May: *And provided*, That notice of any election shall be given at least twice a week for two weeks, in two of the daily newspapers of the city of Philadelphia, prior to the time of holding said election. Affairs, how conducted.

SECTION 4. That it shall and may be lawful for the said managers and trustees in their discretion, to take under their guardianship all children who may be placed under their care and management, in either of the following modes:— Proviso.

*Firstly*. White children under twelve years of age who shall be voluntarily surrendered by their father, or in case of his death or absence, by their mother or by their guardians to the care of the said managers and trustees. Proviso.

*Secondly*. White children under twelve years of age who may be committed to the care of the said managers and trustees by any judge of the supreme court of Pennsylvania, or of the district court of the city and county of Philadelphia, or of the court of common pleas of the city and county of Philadelphia, or by the mayor of the city of Philadelphia, or by the mayor of the Northern Liberties, on account of vagrancy or of the exposure, neglect or abandonment of said children by their parents or parent, guardians, or other persons having custody of Guardianship of children.



said children; and it shall be the duty of any judge or mayor so committing any child to the care of said managers and trustees to annex to the said commitment an abstract of the evidence taken by him, and on which his adjudication was founded, which said evidence shall be under oath or affirmation and taken in the presence of said child.

Who shall have  
the guardianship  
of children.

SECTION 5. That the said managers and trustees shall have the guardianship of the said children so placed under their care and management during their minority, shall cause them to be educated and instructed in a proper manner, and may, when in their discretion it shall appear proper, bind the said children with their consent as apprentices during their minority, to such persons and at such places and to learn such trades and employments as in the judgment of said managers and trustees will be most conducive to the benefit and advantage of said children: *Provided*, The charge and power of the said managers and trustees over and upon the said children, shall not, in the case of females, extend beyond the age of eighteen years, or the said managers and trustees may, in their discretion, return the said children to their parents or surviving parent or guardians.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 10.

### A FURTHER SUPPLEMENT

To an act, entitled "An act to incorporate the subscribers to the articles of association, for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents, under the title of 'The House of Refuge,'" passed the twenty-third day of March, one thousand eight hundred and twenty-six.

Preamble.

WHEREAS, The new buildings now in course of erection by "The House of Refuge," are approaching completion, and are adapted for the proper accommodation and classification of double the number of inmates which the buildings at present occupied are capable of receiving:

*And whereas*, It is deemed desirable by the board of managers, that the counties (other than that of Philadelphia,) composing the eastern district of Pennsylvania, should have extended to them greater facilities for the commitment of juvenile delinquents to the institution, in order that said counties may participate more fully in its benefits:

*And whereas*, The board of managers of the said House of Refuge have memorialized the Legislature, praying that the sum

of twenty thousand dollars, payable in four equal annual instalments of five thousand dollars, may be appropriated from the Treasury of the Commonwealth, for the purpose of completing the said buildings; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the cases provided for by the fourth section of the act, entitled "An Act to endow the House of Refuge, and for other purposes therein mentioned," passed the second day of March, one thousand eight hundred and twenty-seven, the managers of "The House of Refuge" shall receive under their care and guardianship, infants under the age of twenty-one years, committed to their custody by two judges, the president judge being one, of the court of common pleas of any county in the eastern district of Pennsylvania, (which said district shall embrace all the counties of the Commonwealth from which infants cannot be sent to the "House of Refuge of Western Pennsylvania,") except the county of Philadelphia, in which said infant resides or may be found, on complaint and due proof made to them by the parent, guardian, or next friend of such infant, that such infant is unmanageable and beyond the control of the complainant, and that the future welfare of said infant requires, that such infant should be placed under the care and guardianship of the said managers of the House of Refuge; or when said complaint and due proof shall be made by the prosecuting officer of the county, that said infant is unmanageable, or a vagrant, and has no parent, or guardian, capable and willing to restrain, manage, and take proper care of such infant.

Infants under twenty-one years to be received.

SECTION 2. That the said judges shall carefully examine the complaint made to them in the presence of the complainant and infant complained of, and for the purpose of bringing the parties and witnesses before them, shall be fully authorized to use such process of the court as may be necessary; and where the said judges shall adjudge an infant to be a proper subject for the care and guardianship of the said managers of the House of Refuge, they shall, in addition to their adjudication, transmit to the said managers the testimony taken before them, on which their adjudication was founded; and the said testimony shall be taken under oath or affirmation of the witnesses, and in the presence of the party complained of.

Judges to examine complaint.

SECTION 3. That the power and authority of the said managers of the House of Refuge shall be as full and ample, in all respects, over the infants committed to their care and guardianship under this act, as are given and granted to the said managers over infants committed to their care and guardianship from the county of Philadelphia, by the said act, entitled "An Act to incorporate the subscribers to the articles of association for the purpose of establishing an institution for the confinement and reformation of juvenile delinquents, under the title of 'The House of Refuge.'"

Powers of managers.

SECTION 4. That the sum of twenty thousand dollars be, and the same is hereby appropriated towards the erection and completion of buildings for the accommodation of white juvenile delinquents; which said sum of twenty thousand dollars shall be paid in manner following, to wit: five thousand dollars thereof on or before the first day of September, one thousand eight hundred and fifty-five; five thousand dollars thereof on or

Appropriation.



before the first day of September, one thousand eight hundred and fifty-six; five thousand dollars thereof on or before the first day of September, one thousand eight hundred and fifty-seven; and the remaining five thousand dollars thereof on or before the first day of September, one thousand eight hundred and fifty-eight; for which said sums the Governor of this Commonwealth shall, as they respectively fall due, draw his order on the State Treasurer in favor of the treasurer of the House of Refuge.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 11.

# AN ACT

To incorporate the Honesdale Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Russell F. Lord, Thomas H. R. Tracy, Samuel E. Dimmick, John Torrey, Stephen Torrey, Richard L. Seeley, James R. Dickson, Francis B. Penniman, Zenas H. Russell, John F. Lord, Amory Prescott, Richard Henwood, James M. Brookfield, Eliphalet Wood, Maitland A. Bidwell, Rufus M. Grenell, Solomon West, Charles Schlager, George Brittenbacher, Oliver Hamlin, Charles P. Waller, William R. M'Laury, German L. Healer, Henry Dart, Samuel Allen, Hawkin B. Beardslee, Stephen B. Ward, William Turner and Coe F. Young, or so many of them as shall agree in writing to contribute, in form and manner as shall be provided in the by-laws for the purchase and other expenses, and their successors be and they are hereby created a body politic and corporate in law, by the name, style and title of the Honesdale cemetery company, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure alter or renew, and shall have power to purchase, have, hold and enjoy to them and their successors, any land in the county of Wayne not exceeding fifty acres, for cemetery purposes, and shall have authority to receive gifts or bequests for the purpose of improving or ornamenting said grounds, and to hold such personal property as may be necessary to carry out the object of this act.

Corporators.

Style.

Privileges.

SECTION 2. That the affairs of said corporation shall be conducted by a president and six managers, who shall be elected by a majority of the votes of the members of the corporation on the first Monday in May in each and every year, and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held. The said president and managers shall fill all vacancies which may occur in their own body, by selecting a lot holder to supply any vacancy that may occur by resignation, death, removal or otherwise, and shall have power to lay out and ornament the grounds purchased, to erect such buildings thereon as may be necessary for the enjoyment of the same; to lay out, sell and dispose of burial lots; to appoint all necessary officers and fix their several duties and compensations, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation; for the government of lot holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

Affairs, how conducted.

SECTION 3. That every lot in such cemetery shall be held by the proprietor for the purpose of sepulture alone, transferrable with the consent of the president and managers, and shall not be subject to attachment or execution.

Lots, how held.

SECTION 4. That as soon as the money received from the sale of lots in said cemetery shall be sufficient to pay the purchase money expended by the persons hereby incorporated, with interest, and the expenses which shall have been incurred by them in enclosing, laying out and improving the grounds and erecting the necessary buildings, then each lot holder shall become a member of the corporation and have a right to vote for the officers thereof, and at all elections held thereafter under this act, each member of the corporation shall be entitled to one vote and no more: *Provided*, That all monies raised thereafter from the sale of lots shall be expended in improving, repairing and maintaining said cemetery: *And provided*, That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be the managers of the corporation.

When lot holders to become members.

Proviso.

Proviso.

SECTION 5. That any person who shall wilfully destroy, mutilate, deface, injure or abuse any tomb, monument or gravestone or other structure placed in the cemetery aforesaid or any fence, railing or other work for the protection or ornament of said cemetery, or of any lot therein, or who shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of said cemetery, or who shall shoot or discharge any fire-arms within said limits shall be guilty of a misdemeanor, and shall upon conviction thereof before any justice of the peace in Wayne county, be punished by a fine at the discretion of said justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars, or shall on conviction thereof in the court of quarter sessions of said county, be punished by fine as aforesaid, and by imprisonment at the discretion of the court, according to the aggravation of the offence.

Punishment for destruction of property.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and fifty-four. WM. BIGLER.



## No. 12.

## AN ACT

## Regulating certain Election Districts

Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the elections for borough and township officers in the boroughs and townships of Cambria county, shall be held on the third Friday in the month of February, any law to the contrary notwithstanding.

Summitville.  
Cambria county

SECTION 2. That the qualified voters of the borough of Summitville, Cambria county, shall hereafter hold their general and special election at the school house in said borough, which shall constitute a separate and independent election district.

Bell tp., West-  
moreland county

SECTION 3. That the general and township elections of Bell township, Westmoreland county, shall be held at the house of Isaac Gosser in Perrysville, in said township.

Officers of elec-  
tion.

SECTION 4. That Peter Bear is hereby appointed judge and James Montgomery and Rylus Wolferd inspectors, to hold the township election in said township on the third Friday of March next, agreeably to existing laws regulating the conducting of township elections.

Centreville, Som-  
erset county.

SECTION 5. That the elections for the borough of Centreville, in the county of Somerset, shall be held in the school house in said borough, and George W. Lawrence shall act as judge, and Hiram McCoy and Jacob Q. Moyers as inspectors of the first election for said borough.

Larimer, Som-  
erset county.

SECTION 6. That the elections for the township of Larimer, in the county of Somerset, shall be held at the house of John Fichtner, in said township, and that John Fichtner act as judge, and Daniel Weller and Samuel Guiger as inspectors of the first election for said township.

West Fallowfield,  
Chester county.

SECTION 7. That hereafter the general, special and township elections in the township of West Fallowfield, in the county of Chester, shall be held at the Cochranville Inn, in said township of West Fallowfield.

Highland tp.,  
Chester county.

SECTION 8. That the qualified electors of the township of Highland in the county of Chester, shall hold their general, special and township elections at the house of Samuel Futhey, in said township of Highland, and James L. Futhey shall act as judge, and Isaac Hinkson and James Reid as inspectors.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This twenty-sixth day of January, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 13.

## A N A C T

To incorporate the Merchants' Fund.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Atwood, William Platt, Singleton A. Mercer, William C. Ludwig, William H. Bacon, Thomas Allibone, John W. Claghorn, Arthur G. Coffin, Frederick Fraley, Thomas Robins, William E. Bowen, James B. M'Farland, John B. Myers, Henry White, Edwin Mitchell, Elliott Cresson, Robert Ewing, James C. Hand, Francis Hoskins, Thomas H. Fenton, and the other persons belonging to the society now called the Merchants' Fund and their successors, who shall become members of the association according to the by-laws, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Merchants' Fund, and by that name shall have a perpetual succession, have a common seal, make contracts, may sue and be sued, plead and be impleaded in any court of record or in any other place whatever, and may also take and hold any real or personal estate conveyed to them by gift, grant, bargain and sale, devise, bequest or other alienation whatsoever, and sell and convey the same: *Provided*, That the net yearly income of the lands, tenements or other real estate of the said corporation shall not exceed the sum of twenty thousand dollars.

Corporators.

Style.

Privileges.

Proviso.

SECTION 2. The object of this corporation is to furnish relief to indigent merchants of the city and county of Philadelphia, especially such as are aged and infirm.

Object.

SECTION 3. The affairs of this association shall be under the direction of a board consisting of a president, two vice-presidents, a secretary, treasurer and fifteen additional managers. The managers shall be divided into two classes, whose terms of service shall be respectively one and two years, but they may be re-elected. The officers and managers shall be elected by ballot. The managers may fill vacancies in their own body, and adopt such other measures as may in their opinion promote the benevolent objects of the association. Five managers shall constitute a quorum, and until the first election shall be held in pursuance hereof, the officers of the present society shall be the officers of this corporation, and no failure to hold an election for or to elect any of said officers shall be deemed a forfeiture of any of the corporate privileges hereby conferred, but the same shall continue unimpaired thereby, and on such failure or failures the officers of the preceding year shall continue in office until their successors are duly elected.

Affairs. how conducted.

SECTION 4. A meeting of the corporation shall be held at least once in each year, at such time and place as the board may by their by-laws appoint, for the election of officers, and for such other business as it may be necessary for the society to transact. No person shall have a vote in the election of managers who has not been a member of the corporation at least three months before the time of the election at which he claims to vote.

Meetings of corporation.



Appointment of  
other officers.

SECTION 5. The board shall have the power to appoint such other officers not hereinbefore provided for as may be necessary, to provide for and regulate the admission of persons being citizens of the United States as members of the corporation, and to make all other laws and regulations necessary for the good government of the corporation, and not repugnant to the constitution and laws of the United States or of this Commonwealth.

Special meetings.

SECTION 6. Special meetings of the society shall be called by the president, or in his absence by either of the vice-presidents at the written request of fifteen members, of which meeting three days' public notice shall be given.

Repeal.

SECTION 7. The Legislature may at any time alter, amend or repeal the privileges hereby granted.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This twenty-eighth day of January Anno Domini, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 14.

## AN ACT

To annul the charter of the Franklin Canal Company.

Preamble.

WHEREAS, It is provided by the act, entitled "An Act regulating railroad companies" passed, on the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, that if any company incorporated by special act of Assembly thereafter to be passed, shall at any time misuse or abuse the privileges granted by the said act, or by its own special act of incorporation, the Legislature may revoke all and singular the rights and privileges so granted to such company:

*And whereas*, It hath been judicially ascertained that the Franklin canal company, a body corporate authorized by the laws of this Commonwealth for the purpose of re-constructing or repairing the Franklin division of the Pennsylvania canal, with the privilege of constructing a railroad, and using the graded line or towing-path of the said canal as the bed thereof, and of extending from the north end thereof to Lake Erie, and from the south end thereof to Pittsburgh, and made by its charter expressly subject to all the provisions and restrictions of the said first above recited act, hath, under color of the authority and privileges thus conferred, and without re-constructing or repairing the said Franklin division, or constructing a railroad thereon or along the same, and on the pretence of an extension of a work not either completed or commenced, laid down and constructed another and independent road along and

nearly parallel with the lake shore, from the depot of the Erie and North-East railroad to the western boundary of this State, at the eastern terminus of a certain railroad within the territory of Ohio, and so as to form a continuous line with the said last mentioned road, and to constitute, as declared and represented by themselves, a part or section of another and distinct road, designated by them as the Erie and Cleveland railroad, the same being a road not known to or sanctioned by the laws of this Commonwealth, and being intended exclusively to facilitate the transit of passengers and merchandise to and from the cities of Cleveland and New York, over and through the territory of this State :

*And whereas,* It hath also been satisfactorily ascertained that in the pursuit and consummation of the said illegal object and purpose, the means constituting the alleged capital stock of the said company have been almost exclusively furnished by the said Ohio company, upon a contract which limited the application thereof to the said illegal purpose, and whereby the said Franklin canal company hath abdicated and transferred a large part of its corporate powers and duties to the said Ohio company, and hath moreover placed itself under a voluntary disability for an indefinite period to carry out the great ends and purposes of its creation :

*And whereas,* It hath been further ascertained that in the construction of the said unauthorized and illegal road, the said Franklin canal company hath in addition to the disability aforesaid, exhausted its whole alleged and authorized capital stock and resources, and incurred a considerable debt over and beyond the amount thereof, without having performed any of the obligations imposed upon it by law, and hath thereby also stripped itself of all its legitimate and available means for the accomplishment of the great primary and substantial object of its incorporation.

*And whereas,* It is the solemn judgment of this Legislature that the said Franklin canal company, by the said several acts and omissions hereinbefore first recited and described, hath proceeded in bad faith, and in fraud of the law and purposes of its creation, and hath been guilty of a wilful and premeditated perversion, abuse and misuse of the rights, authorities and privileges conferred upon it so gross and palpable, as to call imperatively for the exercise of the summary power of revocation reserved as aforesaid in the incorporation thereof ; now therefore, in consideration of the premises,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That all and singular, the rights and privileges heretofore granted to the Franklin canal company, by the act of Assembly authorizing the Governor to incorporate the same, passed on the twenty-seventh day of April, Anno Domini, one thousand eight hundred and forty-four, and by the act amendatory thereof, passed on the ninth day of April, Anno Domini, one thousand eight hundred and forty-nine, or by any other act or acts of Assembly supplementary thereto, be and the same are hereby rescinded, revoked and utterly and forever annulled.

Privileges annulled.

SECTION 2. That the Governor of this Commonwealth be and he is hereby authorized and directed, to take such measures as may be deemed necessary, for the enforcing and carrying into effect the provisions of the foregoing section, together with all

Duties of the Governor.



such incidents or consequences as may legally attach to the revocation aforesaid, and to appoint a suitable person or persons, to superintend the operations of the railroad claimed by, and now in possession of said company, running west or southwest, from the city of Erie to the Ohio State line, until the same shall be further disposed of according to law.

Duties of superintendents.

SECTION 3. That it shall be the duty of such person or persons so to be appointed by the Governor, to take possession of, and keep in repair and good running order, the said railroad, for the accommodation of the public travel and business, at rates not greater than heretofore charged, and to deposit the net revenues thence to be derived, in such banks as may be designated by the Governor, at least once in every week, not to be drawn thereout without checks countersigned by the Governor, and any accumulation of such monies shall be invested in the loans of the State of Pennsylvania, in the name of the Governor, under the trust of this act, and such person or persons so to be appointed, shall give adequate security, to cover any monies that shall come into his or their hands, and receive for his or their services, a compensation not exceeding fifteen hundred dollars per annum.

Duties of sheriffs.

SECTION 4. That it shall be the duty of any sheriff of any county of this Commonwealth, and of all good citizens thereof, whenever warned or required by the Governor, or the person or persons so by him appointed as aforesaid, to aid and assist in the discharge of the aforesaid service, and they shall be and are hereby indemnified, by the Commonwealth, in all that they shall lawfully do under and in obedience to such requisition and command.

Disposition of revenues.

SECTION 5. That the trust upon which such revenue or collections or the investments thereof made as aforesaid, shall be to hold and dispose of the same as the Legislature of the Commonwealth may hereafter declare and enact, subject to any rights or obligations which may exist under the provisions of an act "regulating railroad companies," passed February nineteenth, one thousand eight hundred and forty-nine.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 15.

## AN ACT

Legalizing certain resolutions and appropriations, made by the Commissioners of Warren county, to a certain Bridge across the Conewango creek at Russelsburg, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the resolutions of the commissioners of the county of Warren, making appropriations to the amount of nine hundred and fifty dollars to aid in the construction of a certain bridge across the Conewango creek, at Russelsburg, in said county, be and the same are made as valid and effectual, to all intents and purposes, as if said resolutions and appropriations had been made under, and in pursuance of an act of Assembly of this Commonwealth conferring powers on the said commissioners to make such an appropriation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This twenty-eighth day of January, Anno Domini, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 16.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to incorporate the City of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the mayor, alderman, and citizens of Philadelphia shall be changed to "The City of Philadelphia," and the boundaries of the said city shall be extended so as to embrace the whole of the territory of the county of Philadelphia, and all the powers of the said corporation, as enlarged and modified by this act, shall be exercised, and have effect within the said county, and over the inhabitants thereof.

SECTION 2. The said city shall be divided into wards, as follows, to wit: Wards.

*First ward,* That part thereof bounded as follows: Beginning at Wharton street and the river Delaware; thence along Wharton



street to the Passyunk road; thence along the Passyunk road to Little Washington street; thence along Washington to Broad street; thence along Broad street to South street; thence along South street to the river Schuylkill; thence along the river Schuylkill to its junction with the river Delaware; thence along the river Delaware to the place of beginning, together with League island.

*Second ward,* That part thereof lying between Broad street and the river Delaware, and between the lines of aforesaid First ward and Christian street.

*Third ward,* That part thereof lying between Broad street and the river Delaware, and between Christian street, on the south, and Fitzwater, German, Mead and Catharine streets, on the north.

*Fourth ward,* That part thereof lying between Broad street and the river Delaware, and between the north line of aforesaid Third ward and South street.

*Fifth ward,* That part thereof lying between Seventh street and the river Delaware, and between South street and Chesnut street, including Wind Mill island.

*Sixth ward,* That part thereof lying between Seventh street and the river Delaware, and between Chesnut street and Vine street.

*Seventh ward,* That part thereof lying between Seventh street and the river Schuylkill, and between South street and Spruce street.

*Eighth ward,* That part thereof lying between Seventh street and the river Schuylkill, and between Spruce street and Chesnut street.

*Ninth ward,* That part thereof lying between Seventh street and the river Schuylkill, and between Chesnut street and Arch street.

*Tenth ward,* That part thereof lying between Seventh street and the river Schuylkill, and between Arch street and Vine street.

*Eleventh ward,* That part thereof lying between Third street and the river Delaware, and between Vine street and Poplar street.

*Twelfth ward,* That part thereof lying between Sixth street and Third street, and between Vine street and Poplar street.

*Thirteenth ward,* That part thereof lying between Sixth street and Tenth street, and between Vine street and Poplar street.

*Fourteenth ward,* That part thereof lying between Tenth street and Broad street, and between Vine street and Poplar street.

*Fifteenth ward,* That part thereof lying between Broad street and the river Schuylkill, and between Vine and Poplar street.

*Sixteenth ward,* That part thereof bounded as follows: Beginning at Maiden street and the river Delaware; thence along Maiden street to the Frankford road; thence along the Frankford road to Franklin avenue; thence along Franklin avenue to Sixth street; thence along Sixth street to Poplar street; thence along Poplar street to the river Delaware; thence along the river Delaware to the place of beginning.

*Seventeenth ward,* That part thereof bounded on the north by Oxford street, on the east by the Frankford road, on the south by Franklin avenue, and on the west by Sixth street.

*Eighteenth ward,* That part thereof bounded as follows: Beginning at Maiden street and the Delaware river; thence along

Maiden street to the Frankford road ; thence along the Frankford road to Norris street ; thence along Norris street to the river Delaware ; thence along the river Delaware to the place of beginning.

*Nineteenth ward*, That part thereof bounded as follows : Beginning at Norris street and the Delaware river ; thence along Norris street to the Frankford road ; thence along the Frankford road to Oxford street ; thence along Oxford street to Sixth street ; thence along Sixth street to Lehigh avenue ; thence along Lehigh avenue to the Frankford road ; thence along the Frankford road to Westmoreland street ; thence along Westmoreland street to the Point road ; thence along the Point road to the north-east boundary of the district of Richmond ; thence along the same to the river Delaware ; thence along the river Delaware to the place of beginning.

*Twentieth ward*, That part thereof bounded as follows : Beginning at Poplar street and the river Schuylkill ; thence along the said Poplar street to Sixth street : thence along the said Sixth street to Susquehanna avenue ; thence along the said Susquehanna avenue to Eleventh street ; thence along the said Eleventh street to Montgomery street ; thence along the said Montgomery street to the river Schuylkill ; thence along the same to the place of beginning.

*Twenty-first ward*, That part thereof lying within the present bounds of the borough of Manayunk and the townships of Roxborough and Penn, and the southern boundary thereof shall be as follows : Beginning at Montgomery street and the river Schuylkill ; thence along Montgomery street to Eleventh street ; thence along Eleventh street to Susquehanna avenue ; thence along Susquehanna avenue to the Germantown road.

*Twenty-second ward*, That part thereof lying within the present bounds of the townships of Germantown and Bristol, and the borough of Germantown.

*Twenty-third ward*, That part thereof including all the remainder of the present county of Philadelphia east of the river Schuylkill. The said ward shall be entitled to elect four members of the common council, by separate tickets, as follows : one member shall be elected by the qualified voters residing within the present limits of the townships of Delaware, Moreland and Byberry ; one member by the qualified voters residing within the present limits of the townships of Oxford and Lower Dublin ; one member by the qualified voters residing within the present limits of the borough of Frankford and Whitehall ; and one member by the qualified voters residing in the remainder of said ward.

*Twenty-fourth ward*, That part of the county of Philadelphia lying west of the river Schuylkill.

*Provided*, That whenever a street, road, avenue or river is named as a boundary in this section, the centre thereof shall be understood. Proviso.

Each of said wards, with the exception of the Seventeenth and Twenty-third shall, at the municipal election in eighteen hundred and fifty four, elect three members of the common council. The Seventeenth ward shall at said election elect four members by general ticket, and the Twenty-third ward shall at said election elect four members, as hereinbefore provided. Common council.

The qualified voters of each of the aforesaid wards in the said city shall, at the municipal elections in said city in the year one thousand eight hundred and fifty-five, and annually there-



after, be entitled to elect one member of the common council for every twelve hundred taxable inhabitants, and one for every fraction of six hundred or more of such taxables of said ward, according to the enumeration of taxables made in the preceding year.

Proviso.

*Provided*, That no ward shall have less than three common council men.

Duties of sheriff.

And it shall be the duty of the sheriff of the county of Philadelphia, in his proclamation for every municipal election in the year one thousand eight hundred and fifty-five and thereafter, to state the number of members of the common council which the qualified voters of each of the said wards shall be entitled to elect as aforesaid.

Commissioners to establish election divisions.

SECTION 3. On or before the first Monday in May, one thousand eight hundred and fifty-four, the commissioners of the county of Philadelphia, (and thereafter the city councils,) shall lay out and establish a sufficient number, not less than six election divisions in each of the wards established by the second section of this act, which divisions shall be, whenever practicable, bounded on all sides by streets, lanes, roads, alleys, avenues, streams of water, or by one of the boundary lines of said city, and shall be as nearly equal in number of taxable inhabitants as such boundaries will admit of, and shall be numbered respectively one, two, three, four and so on. The said commissioners and the said councils, when they establish the same, shall make an accurate description thereof, and cause it to be published in one or more of the daily papers of the city of Philadelphia, and shall file a copy of such description in the office of the clerk of the court of quarter sessions of the county of Philadelphia, to be and remain on record in said office, and if at any election thereafter there shall be more than four hundred votes polled in any of the said divisions, then at some period at least forty days previous to the next succeeding election, the city councils shall re-arrange the divisions of the ward or wards wherein such vote has been polled, and increase the number thereof if necessary.

Legislative power vested in the select and common councils.

SECTION 4. The legislative powers of the said city shall be vested in two bodies, to be called the select and common councils; the select council shall consist of one member from each ward, who shall have the same qualifications as is required by the constitution of this Commonwealth for members of the Senate, and shall be elected as follows, to wit: on the first Tuesday in June, one thousand eight hundred and fifty-four, the qualified voters of the First, Third, Fifth, Seventh, Ninth, Eleventh, Thirteenth, Fifteenth, Seventeenth, Nineteenth, Twenty-first and Twenty-third wards respectively, shall elect one member to serve until the Monday succeeding the first Tuesday of May, one thousand eight hundred and fifty-five, and on the first Tuesday in June, one thousand eight hundred and fifty-four, and in the same manner, the qualified voters of the Second, Fourth, Sixth, Eighth, Tenth, Twelfth, Fourteenth, Sixteenth, Eighteenth, Twentieth, Twenty-second and Twenty-fourth wards respectively, shall elect one member to serve until ten o'clock on the Monday succeeding the first Tuesday of May, one thousand eight hundred and fifty-six, and annually thereafter on the first Tuesday in May, the qualified voters of each ward in which there shall be a vacancy, shall elect one member qualified as aforesaid, to serve for two years. The members of the common council shall have the same qualifications as



are required by the Constitution of this Commonwealth for members of the House of Representatives, and shall be elected as follows, to wit: on the first Tuesday in June, one thousand eight hundred and fifty-four, the first election of members of said common council shall be held, and the persons then elected shall serve until ten o'clock on the Monday succeeding the first Tuesday in May, one thousand eight hundred and fifty-five, and on the first Tuesday in May, one thousand eight hundred and fifty-five, and annually thereafter on the first Tuesday in May the members of of the said common council shall be elected, and serve until ten o'clock on the Monday succeeding the first Tuesday in May ensuing their election: *Provided*, That no member of the State Legislature, nor any one holding office or employment from or under the State at the time of said election, shall be eligible as a member of said councils, nor shall any member of said councils during the term for which he shall be elected, hold any office or employment herein created or provided for of a municipal character.

Proviso.

SECTION 5. The members of the select and common councils elected on the first Tuesday in June, one thousand eight hundred and fifty-four, shall meet at the city hall, in said city, at ten o'clock in the forenoon of the Monday succeeding their election, and shall then and there organize in separate chambers the members of each council, shall each be sworn or affirmed to support the Constitution of the United States and of the Commonwealth of Pennsylvania, and that they will discharge the duties of their office with fidelity. Each council shall elect a president and such other officers as may be deemed necessary for the transaction of business, and shall keep a journal of its proceedings, which shall be at all times open to public inspection, and on the Monday succeeding the first Tuesday in May in each year thereafter, the members of council elect shall meet as aforesaid with those whose terms have not expired, and shall take the oath of office and enter upon the duties thereof.

Meeting and organization of councils.

SECTION 6. Upon the first organization of the councils provided for in the preceding section, the city of Philadelphia as established by this act, shall be vested with all the power, rights, privileges and immunities incident to a municipal corporation and necessary for the proper government of the same, and those of the present corporation of the mayor, aldermen, and citizens of Philadelphia, and upon the said organization of councils and proclamation made by the mayor by direction of the said city councils, fixing a day therefor, not exceeding sixty days after the first Tuesday in July then next, all the powers, rights, privileges and immunities possessed and enjoyed by the following corporations respectively, and of all officers under them to wit: The commissioners and inhabitants of the district of Southwark; the inhabitants of the incorporated district of the Northern Liberties; the commissioners and inhabitants of the Kensington district; the commissioners of the district of Spring Garden; the commissioners and inhabitants of the district of Moyamensing; the commissioners and inhabitants of the district of Penn; the commissioners and inhabitants of the district of Richmond, in the county of Philadelphia; and of the districts of West Philadelphia and Belmont; of the boroughs of Manayunk, Germantown, Frankford, Whitehall, Bridesburg and Aramingo; and of the townships of Passyunk, Kingsessing, Blockley, Roxborough, Germantown, Bristol, Oxford, Lower Dublin, Moreland, Byberry, Northern Liberties,

City of Philadelphia vested with all the rights, &c., of a municipal corporation

Delaware and Penn; also of the board of police of the police district; the present mayor and councilmen of the city of Philadelphia; the commissioners of the county of Philadelphia; the treasurer and auditors thereof; the county board; the commissioners of the sinking fund and the supervisors of townships, shall cease and terminate, except so much thereof as may be necessary to enable the city of Philadelphia as established by this act, to collect the outstanding debts, and make a full and complete settlement of the affairs thereof: *Provided*, That all treasurers, police and other officers of the aforesaid corporations, county and townships, shall continue to discharge the duties of their respective offices until superseded or dismissed by the authority of the city of Philadelphia, and be accountable as officers holding office under said city, and shall account for all monies in their hands through the auditor, and make payment to the treasurer of said city: *And provided*, That no corporation hereby superseded, or whose estates may by force of this act be vested in the city of Philadelphia, or the present councils, of the corporation, of the mayor, aldermen and citizens of Philadelphia, shall at any time after the passage of this act, contract any loan or debt other than for the ordinary supplies repairs and payment of labor and salaries.

Proviso.

Proviso.

Election, qualification, and duties of mayor.

SECTION 7. The qualified voters of the city of Philadelphia shall, on the first Tuesday in June, eighteen hundred and fifty-four, and the first Tuesday in May every second year thereafter, elect one person, to serve as mayor of the said city, by a plurality of votes; and in case of a tie, the councils shall order a new election: he shall serve for two years, and until his successor shall be elected and duly qualified: he shall be at least thirty years of age, a citizen of the United States, and have resided seven years next preceding his election within this Commonwealth, and the last two years thereof in said city: he shall take the usual oath of office in the presence of the councils, to be administered by one of the judges of the courts in said city, at twelve o'clock noon on the Tuesday next succeeding his election: besides the powers otherwise conferred by law, he shall have the like power and authority as the sheriff of the county of Philadelphia now has for the suppression of any riot, disturbance, and violation of law; and shall exercise the authority of making the requisition for the commanding officer of the military, in lieu of the marshal of police as now authorized by law, and of dismissing all police officers and watchmen, other than the marshal of police, for failure in the discharge of duty: it shall be the mayor's duty to communicate to councils, at least once a year, and oftener if deemed expedient, a general statement of the condition of the city in relation to its government, finances and improvements; to recommend the adoption of all such measures as he may deem expedient for the security, health, cleanliness, improvement, and welfare of the city; to be vigilant and active in causing the laws and ordinances of the city to be duly executed, for which purposes the marshal of police, all policemen and watchmen shall obey his orders, and make report to him when acting under his orders; and he shall exercise a constant supervision and control over the conduct of all subordinate officers, receive and examine all complaints preferred against them, and generally perform all such duties as may be prescribed by the laws and ordinances of said city, and of this Commonwealth; and he may call special meetings of the coun-



cils whenever any public emergency may require: every ordinance which shall have passed both councils, shall be presented to the mayor, if he approve, he shall sign it, but if he shall not approve, he shall return it, with his objections, to the council in which it originated, which shall proceed to re-consider it: if, after such reconsideration, two-thirds of that council shall agree to pass the ordinance, it shall be sent, with the objections, to the other council, by which likewise it shall be reconsidered, and if approved by two-thirds of that council also, it shall be a binding ordinance: in such cases the votes of both councils shall be determined by yeas and nays, and the names of members voting shall be entered on the journals: every ordinance which the mayor shall not so return within fifteen days, shall take effect as if it had been approved: the mayor may approve ordinances in vacations of councils, and may call special meetings of councils, to reconsider ordinances which he does not approve, on three days' notice to each member: in case of his temporary absence or inability to act, the councils shall appoint a mayor, to serve until he shall resume the duties of his office; and whenever a vacancy shall occur in the office of mayor by death or otherwise, it shall be the duty of the select and common councils, in joint meeting, forthwith to elect *viva voce*, a person qualified as aforesaid to serve as mayor, who shall continue in office until the Tuesday succeeding the next city election, and until his successor shall have been duly elected and qualified: the mayor shall receive a salary to be fixed by councils, which shall not be increased nor diminished during the term for which he shall have been elected: the police officers, policemen and watchmen, shall receive the compensations to be fixed by ordinance of said councils; and it shall be a misdemeanor in office, for any of them to receive any other compensation or reward, to be followed by dismissal from service.

SECTION 8. The qualified voters of the said city shall, on the first Tuesday of May, eighteen hundred and fifty-seven, and on the first Tuesday in May in every second year thereafter, elect a marshal of police, who shall receive the salary, and do and perform all the duties, and exercise the powers now enjoined or conferred upon him by law, except so far as hereby modified, and all such others as may by law or ordinance be enjoined or conferred upon him as chief of the police, and that throughout the entire limits of said city: he shall execute the orders and warrants of the mayor, and make report to him; and have the command of all policemen and watchmen, for the preservation of the peace and execution of process, and may suspend them from service and pay, until the decision of the mayor be obtained; and until such election, the present marshal of police shall continue to hold the office, and exercise the powers, and perform the duties of marshal of police as by this act modified.

Marshal of police.  
his election and  
duties

SECTION 9. The powers conferred by law on the police board of the police district shall be exercised by the city councils: they shall fix the whole number of supervisors of highways, policemen and watchmen, for the service of the whole city: the councilmen, for the respective wards, shall nominate three times the proportionate number of the whole number of supervisors, and no more, to the mayor; from which nominees the mayor shall appoint the proper number to be the supervisors, taking one of the nominees of the councilmen of the respective wards, and in like manner all vacancies shall be filled: the councils shall, in

Duties of city  
councils.



joint meeting, and by *viva voce* vote, appoint all the heads of departments not elective; and shall provide by ordinance, for the appointment of clerks and officers, except the mayor's clerk, who shall be appointed by the mayor, and the marshal's clerk, who shall be appointed by the marshal, all of whom shall serve for such periods as may be fixed by ordinance, subject to dismissal by the appointing power or superior officer, as such ordinance may provide: the head of each department shall nominate, and by and with the advice and consent of the select council, appoint the clerks and officers in his department: the mayor shall nominate, and by and with the advice and consent of the select council, appoint the policemen and watchmen.

City treasurer,  
his election and  
duties.

SECTION 10. The qualified voters of the said city shall, on the first Tuesday in May, one thousand eight hundred and fifty-five, and until such election the present city treasurer shall continue to be the city treasurer, and on the first Tuesday in May in every second year thereafter, elect a city treasurer to serve for two years from the first Monday of July next, succeeding such election. He shall give bond to the city conditioned for the faithful performance of his duty, in such amount as the city councils shall direct, and shall, before he enters upon his office, take and subscribe an oath or affirmation, honestly to keep and account for all public monies and property entrusted to his care, and if such treasurer shall knowingly violate said oath, he shall be deemed guilty of perjury, and on conviction thereof in the proper court, be sentenced to undergo solitary imprisonment at hard labor in the Eastern penitentiary, for the term of not less than one or more than ten years. Any vacancy in said office shall be filled by the city councils, by *viva voce* vote in joint meeting. No money shall be drawn from the treasury of the city, except the same shall have been previously appropriated by councils to the purpose for which it is drawn; the accounts to be kept by the said city treasurer shall exhibit all the receipts and all the expenditures of the city in an intelligible manner, in the form of accounts current, in which the particulars of each item of charge and discharge shall fully and precisely appear. Any citizen may, on the payment of a fee of twelve-and-a-half cents, to be paid to the said city treasurer for the use of the city, inspect the said accounts, and for a further fee of fifty cents and one cent per line of ten words, to be paid for the use of the city, the treasurer shall, on request of any citizen, furnish a transcript of any part thereof. It shall be the duty of the councils of the said city to provide, and said treasurer to pay, on or before the twenty-fifth day of July, eighteen hundred and fifty-six, and in each year thereafter into the treasury of the State, the amount of the State tax assessed within the limits of the said city, deducting all allowances made by law, and said treasurer elected as aforesaid, before he enters upon the office, give bond with sureties, to be approved by the judges of the court of common pleas in Philadelphia county, in such sum as they shall direct, conditioned for the safe keeping of and accounting for all monies received by him for the use of the State; the said treasurer shall keep the public monies in such place and manner as the city councils shall direct, and shall verify his cash account at least once every week, to the satisfaction of a standing committee of councils, and upon the affidavit of a majority of such committee of any default therein, the said treasurer shall be suspended from office until the further action of councils, and

the court of common pleas of Philadelphia county shall, upon said affidavit and cause shown, forthwith issue a writ of sequestration to the sheriff of the county against such defaulter for the amount of such default, to be levied of all his property, estate and effects in favor of said city, which writ shall be a lien thereon from the issuing thereof, with a clause of attachment contained therein, directing the sheriff to arrest the body of such defaulter to answer the said charge on the day certain, on which day the said court shall inquire of the premises and enter judgment thereon as may be just, or in their discretion award an issue to try the disputed facts, and if the said court upon such hearing, shall be satisfied that there is probable cause to believe that such treasurer has committed the crime of perjury, as mentioned in this section, it shall be their duty to commit him for trial at the next court of quarter sessions of said county.

SECTION 11. The qualified voters of the said city shall, on the first Tuesday in May, one thousand eight hundred and fifty-six, and biennially thereafter, on the first Tuesday in May, elect one person, who shall be denominated receiver of taxes, to serve for two years, and until a receiver of taxes shall be elected and qualified, the treasurer of the county of Philadelphia, elected on the second Tuesday in October, one thousand eight hundred and fifty-three, shall perform all the duties and be liable to all the obligations and penalties prescribed by this act for said receiver of taxes. And it shall be lawful for the select and common council, to relieve the said treasurer of the county of Philadelphia from the performance of any duties now imposed by law on said treasurer. He shall give bond and be sworn or affirmed to perform his duty in like manner as the city treasurer. He shall collect and receive all taxes and public assessments payable and receivable within the limits of the said city, and for that purpose shall have and exercise all the powers conferred by law in that behalf, and shall have the assistance of the necessary clerks, to afford proper facilities to all citizens to pay their taxes at all business hours of the day. It shall be the duty of the city commissioners to place the duplicates of taxes in the possession of the said receiver of taxes as early as practicable, in the year for which the taxes shall be assessed. And the said receiver shall make allowance to all tax-payers who shall pay their taxes in the year for which they are assessed, at the rate of twelve per cent. per annum, from the date of payment until the end of such year. All taxes remaining unpaid on the first day of January in each year, shall continue a lien upon the real estate upon which they are levied, in like manner as if registered in the county commissioner's office under existing laws. In case legal proceedings are commenced, there shall be an additional charge of five per centum upon all sums, and the receiver of taxes shall render each day to the city controller an account of each item of his receipts, and daily pay the same into the city treasury. The said receiver shall cause an agent to attend for him at least two days in the month of June, and each succeeding month of the year, to receive the taxes owing by persons resident within the wards in which the following places are situated, to wit: at Germantown, Frankford, Manayunk, Bustleton, Holmesburg, Somerton, Hestonville, Haddington and Paschallville, and give notice of the time and place of attendance in at least two newspapers, not less than three times, one of which papers shall be that in or nearest to the ward where the

Election of receiver of taxes, his duties. &c.



taxes are owing, and the aldermen in every ward shall be authorized and required at all times to receive the personal taxes of persons resident therein, for which purpose they shall each be furnished with a tax list of such taxes as early in the year as they can be made out, and not later than the first of June in each year, and such aldermen shall receive therefor ten per centum for receiving and paying over such taxes, which they shall do at least once in each month to the receiver of taxes or his agent. And each of said aldermen shall, under the penalty of one hundred dollars to the said city, be in attendance at his office for the purpose of receiving the same on the day of any election. The said receiver shall immediately after the first day of December, annually give public notice in at least four of the public newspapers of said city for ten days, to all persons who shall have omitted to pay their taxes, or pay them before the first day of January, and that if not paid by that time a warrant will issue to collect the same, and it shall be the duty of the receiver to issue his warrant after the fifteenth day of said month of January, directed to any constable of said city or county, commanding him to levy said taxes with all charges accrued thereon, of any goods or chattels of the delinquent wheresoever found, and to make sale thereof after advertisement, as in cases of distress for rent, which warrants shall be returnable within thirty days.

Proviso.

*Provided*, That if any person against whom such taxes shall have been assessed, shall make affidavit that he did not own the premises for which such taxes were assessed at the time they accrued and became a lien thereon, the said taxes shall be collected of the true owner thereof, or by proceeding to sell the premises by execution. And the said receiver of taxes shall furnish certificates of all taxes and claims which are a lien on real estate, and receive therefor twenty-five cents for each certificate, and five cents for each lien and claim certified.

City controller,  
his election, term  
of service, duties,  
&c.

SECTION 12. The qualified voters of the said city shall, on the first Tuesday in June, one thousand eight hundred and fifty-four, and on the first Tuesday in May in every second year thereafter elect a city controller, to serve for the term of two years from the first Monday in July next succeeding his election. He shall, before entering upon his office, take and subscribe an oath or affirmation faithfully to discharge the duties thereof, and if he shall knowingly violate said oath or affirmation, he shall be subject to the same penalty as is provided by the tenth section of this act in regard to the city treasurer. It shall be the duty of the said city controller to scrutinize, audit and publish in two or more newspapers annually, verified by his oath or affirmation, the public accounts of the said city and the trusts in their care, exhibiting all the receipts and expenditures of the city, the sources from which the revenues and funds are derived, and in what manner the same have been disbursed, each account to be accompanied by a statement in detail in separate columns, of the several appropriations made by the city councils, the amount drawn on each appropriation, and the balance standing to the debit or credit of each such appropriation. He shall countersign all warrants on the city treasurer, and shall not suffer any appropriation made by the city councils to be overdrawn, and shall perform all the duties now enjoined by law on the county auditors. He shall superintend the fiscal concerns of the city



in such manner and make reports thereon at such times as shall be prescribed by ordinance.

SECTION 13. The qualified voters of the said city shall, on the first Tuesday in June, one thousand eight hundred and fifty-four, and annually thereafter on the first Tuesday of May, elect one person for city commissioner, to serve three years from the Monday next succeeding his election: *Provided*, That those three who shall first be elected shall not enter upon their duties until the terms of service of the present county commissioners shall respectively expire, and the present county commissioners shall serve as such city commissioners for the periods for which they have been respectively elected county commissioners. The city commissioners, under the direction and control of the city councils, shall be charged with all duties relating to assessors and to assessments, to the selection and drawing of jurors, and to elections and election officers that are now performed by the county commissioners, and all other duties now performed by the commissioners of the county not otherwise provided for in this act. They shall, together with the city treasurer and receiver of taxes, perform the duties of a county board of revision, according to the laws in force in other counties of this Commonwealth, and hear the appeals of the tax-payers. And they shall correct all irregularities in valuation, both as respects individual cases and wards, and complete the same before the end of the year in which the valuations shall be made for the tax of the succeeding year. If in equalizing the valuation of the property in the several wards, an addition of ten per centum be made to the returns of the assessor of any ward, twenty freeholders of such ward may, by writing filed within ten days, take an appeal from such decision to the councils, whose decision thereon shall be final.

City commissioner, his election, duties, &c.

SECTION 14. The city councils shall annually nominate, and the mayor shall as hereinbefore provided, appoint the requisite number of supervisors of streets and roads for the different wards, who shall be under the direction and accountable to the commissioners of highways, who shall be appointed by the said councils annually, and whose numbers and duties shall be prescribed by ordinance.

Supervisors, appointment of.

SECTION 15. The select and common councils shall establish a law office, in which shall be deposited and preserved all patents, deeds, wills, leases, mortgages, and other assurances of title, together with all contracts, bonds, notes, official bonds, books, and other evidences of debt belonging to the said city, and all other papers which the said city councils may direct: the qualified voters of said city shall, on the first Tuesday in June, eighteen hundred and fifty-four, and on the first Tuesday in May biennially thereafter, elect one person learned in the law to act as solicitor of said city, whose duties shall be prescribed by ordinance, and who shall be allowed to employ such number of assistants as councils may prescribe: the said solicitor shall hold his office for the term of two years, and until his successor shall be duly qualified.

Law office to be established.

SECTION 16. On the first Tuesday in June, one thousand eight hundred and fifty-four, and on the first Tuesday in May in every year thereafter, until otherwise provided by law or ordinance, the qualified voters of each of the wards of the said city shall elect one citizen, who shall have and possess the qualifications that the members of the Senate are required to possess, to serve

Member of the board of health, his election, &c.

as a member of the board of health: they shall each take the usual oath of office, and enter upon the duties thereof on the first Monday in July next succeeding their election: the members of the board of health, elected in the city of Philadelphia on the first Tuesday of June, A. D., eighteen hundred and fifty-four, shall meet on the morning of the first Monday in July of the same year, at ten o'clock, and on the first Monday of July in each year, at the same hour, organize themselves into a board, and shall elect a president, and such other officers as may be necessary for the proper transaction of the business of the said board; and upon such organization shall thereby supersede the present members and officers of the board of health, and thereupon all the estate whatsoever, real, personal and mixed, that shall then be by law or otherwise vested in, or in possession of the board of health, shall be forthwith vested in the city of Philadelphia, subject to all the trusts, conditions and liabilities now legally applicable thereto; and all laws of this Commonwealth creating, governing, and regulating the board of health, not inconsistent herewith, shall continue in force and operation, and shall govern and regulate the board of health of the city of Philadelphia, except as to farmers manuring land and keeping stock in the strictly agricultural districts, as the same may hereafter be altered by law or ordinance; and all sums of money due, payable to, or received by the board of health, shall be paid into the city treasury; and all sums expended by, or for the purposes of the board of health, shall be paid by the city treasurer, upon orders drawn under appropriation regularly made by councils: and upon the same days in the present and each succeeding year, the qualified voters of each ward shall elect one person of like qualifications, who shall take the same oath or affirmation, to serve as prison inspectors, of the county prison, for the same period of time, who shall, on the first Monday in July in the same year, at ten o'clock, A. M., organize themselves as a board to perform all the duties belonging by law to said office; and upon such organization shall thereby supersede the existing board of prison inspectors.

Prison inspector.

Election of assessors.

SECTION 17. On the first Tuesday in June, Anno Domini, one thousand eight hundred and fifty-four, and on the first Tuesday in May in each year thereafter, the qualified voters of each ward of the said city shall elect two assessors, who shall have and possess the qualifications that members of the Senate are required to possess, who being duly qualified, shall do and perform within their respective wards, all the duties that the usages and laws of this Commonwealth now enjoin upon assessors and assistant assessors: *Provided*, That the qualified voters residing within the limits of the townships of Byberry, Moreland, Delaware, Lower Dublin and Oxford, in the twenty-third ward, shall in like manner elect two assessors, and the qualified voters of the remaining portions of said ward, shall in like manner elect two assessors: and at all elections of such assessors, each voter shall vote for one assessor, and the two candidates having the highest number of votes shall be elected: the city commissioners shall, immediately after such election in each year, issue their precept to the said assessors of the respective wards, requiring them to make out and return, within such time as the said commissioners shall designate, not later than the first day of September following, a just and perfect list, in such form as the commissioners shall direct, of all the taxable persons residing within their



wards respectively, and all property taxable and exempt by law, with a just valuation of the same; and whenever the assessors of any ward cannot agree upon the valuation of any property, the city commissioner, senior in office, shall be umpire and decide: the office of assistant assessor within the said city is hereby abolished: the duty of making extra assessments now enjoined by law upon the officers of election, shall be exclusively performed by the assessors: the assessors of each ward shall meet, for that purpose, in their respective wards on the thirteenth day prior to the second Tuesday of October annually, and continue their session from one o'clock, P. M., to ten o'clock, P. M. each day, for three successive juridical days, and public notice of the time and place thereof shall be given by the city commissioners in two or more daily newspapers of the said city, ten days prior thereto: each assessor shall return the names of one-half of the number of jurors within his ward, required for each year, and the precept of the city commissioner, to the assessors, shall conform to this provision: any assessor who shall receive any reward for returning, or omitting to return, the name of any person to serve as juror, and any person who shall offer or give such reward, shall forfeit the sum of one hundred dollars to the said city, to be recovered before any alderman: each assessor shall receive an annual sum, in lieu of all other compensation, to wit: for the year ending May, Anno Domini, one thousand eight hundred and fifty-six, and for every third year thereafter, the sum of four hundred dollars, and for all other years the sum of three hundred dollars per annum.

SECTION 18. On the first Tuesday in June, Anno Domini, one thousand eight hundred and fifty-four, and on the first Tuesday in May in every year thereafter, until otherwise provided by law or ordinance, the qualified voters of each of the wards of the city of Philadelphia shall elect one citizen, who shall have and possess the qualifications that the members of the Senate of this Commonwealth are required to possess, to serve as guardian of the poor of the said city: they shall enter upon the duties of their office on the first Monday in July of each year, and shall each take an oath or affirmation, to be administered by any alderman of the said city, that he will discharge the duties of the office of guardian of the poor, truly and impartially, to the best of his ability: *Provided*, That the existing arrangements for the support of the poor in the boroughs and townships of Manayunk, Roxborough, Germantown, Bristol, Frankford, Whitehall, Oxford, Lower Dublin, Delaware, Moreland and Byberry, shall remain and continue until they are changed and altered by the councils of the city of Philadelphia; and while those arrangements continue, no election shall be held under the provisions of this section for guardians of the poor in the twenty-first, twenty-second, and twenty-third wards of said city: *Provided*, That in the districts within the twenty-first, twenty-second, and twenty-third wards, where houses for the accommodation of the poor are provided, no change shall be made without the consent of the qualified voters of the respective districts containing the respective institutions for the support of the poor.

Guardian of the poor, his election, &c.

Proviso.

Proviso.

SECTION 19. The guardians of the poor elected in June, Anno Domini, one thousand eight hundred and fifty-four, in accordance with the provisions of the preceding section, shall meet at the alms-house, in the city of Philadelphia, at ten o'clock on the morning of the first Monday in July of the same year, and also

Meetings of guardians of the poor.



on the same day and hour yearly thereafter, and organize themselves into a board, and shall elect a president and such other officers as may be necessary for the proper transaction of the business of such board; and upon such organization all the estate whatsoever, real and personal, that shall then be by law or otherwise vested in, or be in possession of the guardians for the relief and employment of the poor of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties and Penn, shall forthwith vest in the city of Philadelphia, subject to all the trusts, conditions and liabilities now legally applicable thereto, and the present guardians and officers of said body shall cease their functions, and the said elective guardians shall become vested with all the powers, faculties, rights, privileges and immunities of the present guardians of the poor, and subject to the performance of the duties thereof, except as hereby otherwise provided; and all laws of this Commonwealth creating, governing, and regulating the said corporation, shall continue in force and operation, and shall govern and regulate the guardians of the poor of the city of Philadelphia, except as the same may hereafter be altered by law or ordinance; and all sums of money due, payable to, or received by the board of guardians of the poor, shall be paid into the city treasury; and all sums expended by, or for the purposes of the board of guardians of the poor, shall be paid by the city treasurer, upon orders drawn under appropriations regularly made by councils.

Directors of public schools, their election, &c.

SECTION 20. On the first Tuesday in June, one thousand eight hundred and fifty-four, the qualified voters of each of the wards of the city of Philadelphia, except the twenty-first, twenty-second, twenty-third and twenty-fourth wards, shall elect twelve citizens qualified to serve as members of the Senate of this Commonwealth, four of whom shall be elected to serve for one year, four for two years, and four for three years, as directors of public schools; and on the first Tuesday in May in each year thereafter, the qualified voters of each of the said wards shall elect four citizens, of like qualifications, to serve as directors of public schools for three years; they shall enter upon the duties of their office on the first Monday in July next succeeding their election: at the first election held under this act, each of the qualified voters of said ward shall vote for nine directors, and the twelve highest shall be elected, three to serve for one year, three to serve for two years, and three to serve for three years; and at future elections each qualified voter shall vote for three directors, and the four highest shall be elected: *Provided*, That the qualified voters within the twenty-first, twenty-second, twenty-third and twenty-fourth wards shall elect, in the same election districts as heretofore, the number of school directors as are now by law allowed, except the territory included in the boroughs of Frankford and Whitehall, which shall be separated from the township of Oxford in the election of school directors, and the qualified voters of the said boroughs of Frankford and Whitehall shall elect three directors of public schools, and the qualified voters of the township of Oxford shall elect three directors, and the qualified voters in the territory included within the bounds of the township of the unincorporated Northern Liberties, and the boroughs of Aramingo and Bridesburg, shall elect three directors of the public schools.

Provided.

Each ward to constitute a school section

SECTION 21. For public school purposes, each ward shall constitute a school section, and the board of controllers shall have

full power to apportion the school houses, and distribute the duties of the directors of the schools to, and for all or any of the wards of the city, in such manner as the board of controllers shall direct: the directors of each section shall meet and organize on the first Monday of July next succeeding their election, and upon such organization shall have and possess all the powers, rights, privileges and immunities that shall then be by law or otherwise vested in the school directors of the several sections of the first school district; and from and after such organization, all the rights, privileges and immunities of the school directors last named, shall cease and terminate; and all laws of this Commonwealth regulating and governing the school directors last named shall cease to operate with regard to them, but shall continue in full force and operation for regulating and governing the school directors elected and organized in accordance with the provisions of this act: in case of any vacancy occurring in either of the sectional boards of school directors by death, resignation or otherwise, such vacancy shall be filled by the remaining directors of the ward wherein such vacancy exists; and the director chosen to fill such vacancy being properly qualified, shall continue to serve for, and during the time the director, whose vacancy he fills, could have served and no longer.

SECTION 22. The school directors of each ward of the city of Philadelphia for the ensuing year shall, on the third Tuesday of June, of each and every year, elect one of their own number a controller, to serve for one year, and shall give him a certificate of such election: the controllers thus elected, shall each be sworn or affirmed that he will discharge the duties of the office of controller of public schools with fidelity to the best of his ability, and they shall enter upon the duties of their office on the first Monday in July next succeeding their election: the controllers elected in the year one thousand eight hundred and fifty-four, shall meet at ten o'clock, A. M., on the first Monday in July of that year in the room of the controllers of public schools in the city of Philadelphia, and shall then and there organize themselves into a board, and shall elect a president and such other officers as they may deem necessary, to serve for the term of one year, and upon such organization, shall have the name and style of the The Controllers of Public Schools of the first school district of Pennsylvania: And on the first Monday of July in each year thereafter, the controllers shall meet as aforesaid, and shall take the oath of office and enter upon the duties thereof: The president and other officers of the board shall be elected annually on the first Monday in July.

School directors of each ward to elect one of their number a controller.

SECTION 23. Immediately upon the organization of the said board of controllers, all property real and personal, all trusts and trust funds, and all estate, rights, privileges and immunities whatsoever, that are or shall be by law or otherwise vested in, owned, possessed or enjoyed by, or that in any wise appertain to the corporation created by the act of Assembly passed April sixteenth, Anno Domini, one thousand eight hundred and forty-five, entitled "An act relating to the controllers of the public schools of the city and county of Philadelphia," shall be vested in and be held, possessed and enjoyed by the city of Philadelphia, subject to all the trusts, conditions and liabilities now legally applicable thereto, and all sums of money due, payable to or received by the board of controllers, shall be paid into the city treasury, and all sums expended by or for the purposes of

Property, &c., vested in controllers of public schools to be vested in the city of Philadelphia.



the board of controllers, shall be paid by the city treasurer, upon orders drawn under appropriations regularly made by councils.

Two aldermen to be elected for each ward.

SECTION 24. There shall be two aldermen in each of the wards of the city of Philadelphia; those aldermen and justices of the peace who are in office at the time of the passage of this act, shall continue to reside and hold their offices within the limits of the ward, township or borough in which they were originally elected: In any ward of the said city where there shall be more than two aldermen or justices of the peace residing and holding their offices at the time of the passage of this act, the number thereof shall be reduced to two as their commissions shall respectively expire, unless the qualified voters of such ward shall vote to increase the number thereof: The aldermen of the said city shall be elected in each ward by the qualified voters thereof, on the first Tuesday in May, in accordance with the provisions of the act of Assembly of June twenty-first, Anno Domini, one thousand eight hundred and thirty-nine, entitled "An act providing for the election of aldermen and justices of the peace," and the acts supplementary thereto: It shall be lawful for councils to designate and appoint as many of the aldermen of the said city as the public welfare may require to be police or committing magistrates, who shall receive such compensation as councils may provide and pay, and it shall not be lawful for any aldermen in said city to take fees in criminal cases, but nothing herein contained shall be taken to impair the powers or diminish the duty of any and all aldermen and constables to be conservators of the peace, and to execute the criminal laws of the Commonwealth: *Provided*, That nothing herein contained shall be so construed as to prohibit any alderman now in commission from becoming a candidate for re-election to that office.

Proviso

In elections for members of Congress voters shall continue to vote at their respective Congressional districts.

SECTION 25. Until otherwise provided by law, in all elections for members of Congress, the qualified voters of the said city shall continue to vote in their respective congressional districts as now by law established, as if this act had not been passed, and if any election division shall happen to comprise portions of two congressional districts, an additional and separate box shall be provided for the election officers of such division. Until otherwise provided by law, in accordance with the provisions of the constitution, the existing districts in the city and county of Philadelphia shall continue without change for the election of Senators and Representatives to the Legislature of Pennsylvania, and thereafter the said Representatives may be chosen in separate election districts, as they shall be established by law.

Two constables to be elected for each ward.

SECTION 26. On the first Tuesday in June, Anno Domini, one thousand eight hundred and fifty-four, and on the first Tuesday in May in each year thereafter, the qualified voters of each ward of the city of Philadelphia shall elect two constables; they shall be qualified as the laws of this Commonwealth require such officers to be, and shall, upon entering the requisite security, be commissioned by the court of quarter sessions of the county of Philadelphia; they shall be under and subject to the same legal penalties, do and perform all duties that the usages and laws of this Commonwealth enjoin upon such officers: *Provided*, That the qualified voters within the twenty-first, twenty-second, twenty-third and twenty-fourth wards shall elect the same number of constables as now by law allowed, and the constables in said wards shall be elected by separate districts, each district embracing the qualified voters of said wards, respectively resi-

Proviso.



ding within the bounds of the present districts for electing constables, in like manner as if this act had not been passed.

SECTION 27. The councils of said city shall appoint a competent number of skillful surveyors and regulators to perform the duties required by law; the duties of such officers to extend respectively over convenient limits to be prescribed by said councils, and said officer shall keep a record of their respective regulations for the use and as the property of said city, and receive such compensation for their services as may be fixed by ordinance, and shall continue in office during good behavior, and on the termination of their official service, the records kept for public use shall be delivered up to their successors in office: And such number of said surveyors and regulators shall be organized into a board under a head, for such purposes relating to surveys, the planning of the city, the building of bridges, the construction of sewers and grading of highways as councils may declare by ordinance, which board may hear by appeal, and if neither party before a hearing shall have appealed to court shall finally decide upon all questions of party lines, the position and thickness of party walls, of the condemnation thereof for insufficiency, and of the proper structure of new buildings and the party walls thereof, so as to secure the safety and health of the citizens under the statutes in force in said city: *Provided*, That nothing herein contained, shall alter or interfere with any survey or regulation made or directed to be made under the several laws of this Commonwealth, of any portion of the county of Philadelphia, but the same shall be completed, or if already confirmed shall remain unalterable as therein provided, unless said alterations shall be ordered by a resolution of said councils and approved by the court of quarter sessions, upon public notice previously given for the space of thirty days, in at least two of the daily newspapers of the said city, until otherwise provided by ordinance: *And provided further*, That in any alteration that may be made of the regulations of any portion of the city in conformity with the provisions of this section, whereby damage may ensue to private property, compensation shall be made for such damage, to be ascertained and paid by law, as in case of damage for opening streets. All official acts and proceedings of the surveyors and regulators shall be returned to the head of the said board, to remain in his office, from which certified copies shall be made and furnished on request, in the same manner and for the same compensation as copies are furnished from the land department of this Commonwealth.

Councils to appoint skillful surveyors and regulators.

*Provido.*

*Provido.*

SECTION 28. The select and common councils shall elect in joint meeting by *viva voce* vote, at the last stated meeting in the month of September next, sixteen citizens having proper knowledge of the duties for port wardens, eight of them to serve for one year and eight of them for two years from the first day of June, Anno Domini, one thousand eight hundred and fifty-five, and thereafter on or before the last stated meeting of councils in May in each year, elect eight such citizens to serve for two years as port wardens, from the first day of June then next succeeding, who, together with the master warden, shall do and perform the duties which do now or may by law or ordinance, hereafter belong to the port wardens: It shall be the duty of the said councils, after the requisite surveys and soundings shall have been made to fix the lines, beyond which no wharf or pier shall be constructed, and to keep the navigable waters within said city forever

Councils to elect sixteen citizens as port wardens.

open and free from obstructions: The city councils shall authorize the construction of wharves upon a plan and scale to meet the demands of commerce, keep the same and the avenues leading thereto open and free from obstruction, and shall moreover provide from time to time, for the more convenient selection, appointment, regulation and compensation of pilots navigating to and from the said city, and for the greater security and better disposition of vessels within the port of the same, and they may enact ordinances for the purposes in this section mentioned.

Duties of sheriff  
as to elections.

SECTION 29. It shall be the duty of the sheriff of Philadelphia city and county, to give notice of all elections held under the provisions of this act, designating the officers to be elected and the time and place of such election; such notice shall be by proclamation and advertisement in at least two daily newspapers published in the city of Philadelphia, at least twenty and not more than thirty days prior to every election, and the expenses of such advertising shall be paid out of the treasury of the city of Philadelphia; the county commissioners of the county of Philadelphia shall immediately prior to the first election in the city of Philadelphia, and the city commissioners thereafter, shall have the respective places appointed for holding such elections put in convenient and proper order for holding and conducting the same, shall furnish to the election officers of each division the necessary blanks, stationery, et cetera, and a list of the taxable inhabitants of such division, and shall generally do and perform such duties appertaining to elections, as they would be required by law or usage to perform had the elections or the election districts of the said city not been changed or altered: *Provided*, That the sheriff and other officers shall do and perform all the duties in relation to the elections under this law, which are enjoined upon them by the general election laws now in force, unless otherwise provided by the act.

Proviso.

Elections, when  
to be held.

SECTION 30. The general, special, municipal and all other, except military elections, by the qualified voters of the city of Philadelphia, shall be held in the respective election divisions of the wards of the said city; the said elections shall be open at or before eight o'clock in the morning, and close at seven o'clock in the evening, and the tickets to be voted at the municipal elections in the city of Philadelphia shall be on separate pieces of paper, on which shall be written or printed the name of the office to be filled, and immediately under the name of the office, the name or names of the person or persons voted for to fill such office; in all general and special elections within the city of Philadelphia, each ward of the said city shall be an election district and have a return judge, and the return judges of the city of Philadelphia shall meet at the State House in the said city.

Election on the  
first Tuesday in  
June, A. D. 1854,  
how held and con-  
ducted.

SECTION 31. The election on the first Tuesday in June, Anno Domini, one thousand eight hundred and fifty-four, shall be held and conducted by election officers as follows: Each and every set of officers, that is the judge and two inspectors, who shall have been respectively elected at the same poll, and who shall reside within the several wards respectively, as fixed by the second section of this act, shall hold and conduct the election at one of the election divisions of such ward, and if it shall so happen that all the election officers who shall have been elected at the same poll, shall not reside within the bounds of any one of the wards fixed by the second section of this act, then and in that case such set of officers shall act as aforesaid, in the ward



in which a majority of such officers shall reside: The said officers by sets and not individually shall, in case of difficulty or misunderstanding, determine by lot the election division in which they shall act: The court of common pleas of Philadelphia county is hereby vested with power to settle summarily, any question that may arise concerning the officers to conduct said elections, and also to direct, according to the true intent and spirit of this act, which set of election officers shall act as aforesaid, in any case or exigency which may arise or exist not provided for by this act, and any vacancy that shall exist and continue for half an hour after the earliest time fixed by law for the opening of the polls, shall be filled in the manner now provided by law, and on the first Tuesday in June aforesaid, and on the first Tuesday in May in each year thereafter, the qualified voters of each of said election divisions shall elect, in the manner prescribed by law, one person to serve as judge and two persons to serve as inspectors of elections for one year, each voter however to vote for one inspector.

SECTION 32. It shall be the duty of the judge of election in every election division of said city, at every general, municipal and special election, to make out and subscribe on the night of such election, a certificate of all the votes given at such election division for every office voted thereat, and it shall be the duty of the judge to deliver the same to the prothonotary of the court of common pleas on the day succeeding such election, before noon of that day, which certificates shall be open to the inspection of any citizen, and any judge who shall fail to deliver such certificates as aforesaid to the said prothonotary, shall forfeit fifty dollars: And the said prothonotary shall, on the second day after such election, make out and deliver to the sheriff of the said county, a certified list of the judges of each and every division from which such certificate shall not have been received as aforesaid, with a precept to the said sheriff to levy and collect the said penalty from the said judges as is now practised and allowed in cases of fines imposed upon defaulting jurors, provided that the said court may, upon good cause shown, remit such fines: And in case any such certificate shall not have been placed in the office aforesaid, by noon of the day aforesaid, the said court may, on the application of any citizen, issue an attachment against the judge or judges in default, to compel the production and filing of such certificate.

Duties of judges of elections.

SECTION 33. The municipal elections of the city of Philadelphia shall be conducted in the manner required by the act of Assembly of July second, Anno Domini, one thousand eight hundred and thirty-nine, entitled "An act relating to the elections of this Commonwealth," and its supplements: As soon as the votes given at each division are counted, duplicate returns thereof shall be made out by the officers of such division, one copy shall be deposited in one of the ballot boxes, as required by section seventy-four of the act aforesaid, the other copy shall be used for the purpose of making up full returns of the ward, and the said last copy, together with a full and complete return of the votes given in such ward, signed by the judges thereof, shall be filed by one of the judges in the office of the prothonotary of the court of common pleas of Philadelphia county, as hereinafter provided.

Municipal elections, how conducted.

SECTION 34. The returns of all municipal elections in the city of Philadelphia, and the certificates to be given to persons elec-

Returns of elections and certifi-



ates, how made  
out

ted, shall be made out in the following manner, to wit: Two complete copies of a return of all the votes given in each division, and a certificate of election to each of the persons elected to office in such division, shall be made out and signed by the judge, inspectors, and clerks of such division, and on the day succeeding the election, at nine o'clock, A. M., the judges and inspectors of all the divisions of the ward shall meet and make out a return of all the votes given in such ward, and a certificate of election for each of the persons elected to office in such ward; which returns and certificates shall be signed by the judges of such ward, or a majority of them; the judges shall then designate one of their number to be a return judge, and shall give him an accurate copy of the returns of the votes given in such wards for each municipal officer voted for; and the return judges of the several wards shall meet at the state house, at ten o'clock in the morning of the Thursday succeeding the day of election, and shall then and there, in the manner provided in the seventy-eighth section of the act of Assembly of July second, Anno Domini, one thousand eight hundred and thirty-nine aforesaid, proceed to add together the number of votes given in the several wards for the several officers voted for, and shall make out full and complete returns of said votes, and a certificate of election to the persons elected; which returns shall, immediately upon the adjournment of the return judges be, by the president thereof, filed in the office of the prothonotary of the court of common pleas; the certificates of election, for the ward and division officers, shall be delivered to the persons elected, by the constables of the ward, within three days after the election, and the certificate for the other officers voted for, shall be delivered to them by the sheriff, or his deputy, within two days after the meeting of the return judges: the places for the meetings of the said judges and inspectors in said ward, for the purposes aforesaid, shall be determined by a majority of those who are required to meet:

Returns subject to  
to the inquiry and  
determination of  
the court of com-  
mon pleas.

SECTION 35. The returns of all municipal elections in the city of Philadelphia, except of members of the select and common councils, shall be subject to the inquiry and determination of the court of common pleas of the county of Philadelphia, upon complaint of fifteen or more of the qualified voters of the proper ward or division, or in case of mayor, treasurer, city controller, receiver of taxes, city solicitor, or city commissioner, by at least fifty of the qualified voters of the said city, which complaint shall be filed in the said court within twenty days after such election, and at least two of the complainants shall take and subscribe an oath or affirmation, that the facts set forth in such complaint are true, and the said court, in judging of such elections, shall proceed upon the merits thereof, and determine finally concerning the same, according to the laws of this Commonwealth; and shall have power, if they believe such complaint to have been made without sufficient cause, to decree that the complainants, or any one or more of them, shall pay all legal costs incurred by such investigation: the select and common councils respectively shall, in like manner as each branch of the Legislature of this Commonwealth, judge and determine upon the qualifications of their members: the trial of a contested election shall be held and conducted, and be proceeded with, in the manner set forth in the several sections of the act of Assembly, passed July second, Anno Domini, one thousand eight hun-

dred and thirty-nine, providing for the trial of contested elections of the Senate and House of Representatives, excepting that the committee shall be seven in select, and eleven in common council: no complaint of an undue election, or false return, shall be acted upon, unless presented within ten days after the organization of councils, nor unless signed by at least fifteen qualified voters of the proper ward, at least three of whom shall take and subscribe an oath and affirmation, that the facts set forth in said petition or complaint are true.

SECTION 36. The elections within the city and county of Philadelphia which, according to existing laws, are held on the third Friday in March in every year, shall, in the year one thousand eight hundred and fifty-four, be held on the first Monday in June, and thereafter on the first Tuesday in May; and the terms of all commissioners and officers heretofore elected in March, and now in office, which would by law expire before the first Tuesday in June, are hereby extended; and they shall continue in office until their successors are duly chosen and qualified, by and in pursuance of the elections held on the first Tuesday in June as aforesaid, and until they shall be superseded in manner hereinbefore provided.

Time of certain elections changed.

SECTION 37. All the right, title and interest of the several townships, districts, and other municipal corporations mentioned in this act, of, in, and to all the lands, tenements, hereditaments, bridges, ferries, railroads, wharves, markets, stalls, landings, landing places, water works, gas works, buildings, easements and franchises of, in, and to all goods, chattels, moneys, effects, debts, dues, demands, amercements, fees, perquisites, rights, incomes, bonds, obligations, judgments, liens, actions, and rights of action, books, accounts and vouchers, and of, in, and to all other property and estate whatsoever, and wheresoever belonging to any or either of them, be and they are hereby vested in the city of Philadelphia, to take effect on the first organization of the city councils: *Provided*, That all the estates and incomes now held in trust by the county, present city, and each of the townships, districts, and other municipal corporations united by this act, shall be held by the city of Philadelphia upon, and for the same uses, trusts, limitations, charities and conditions, as the same are now held by the said corporations respectively.

Right, title and interest of the several townships, districts, &c., vested in the city of Philadelphia.

Proviso

SECTION 38. That the net debt of the county of Philadelphia, after deducting and cancelling the portion held by the sinking fund, and the several net debts of the guardians for the relief and employment of the poor of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties and Penn, of the mayor, aldermen and citizens of Philadelphia, of the commissioners and inhabitants of the district of Southwark, of the commissioners and inhabitants of the district of Moyamensing, of the commissioners and inhabitants of the Kensington district, of the commissioners and inhabitants of the incorporated district of the Northern Liberties, of the commissioners of the district of Spring Garden, of the commissioners and inhabitants of Richmond, in the county of Philadelphia, the districts of West Philadelphia and Belmont, of the boroughs of Whitehall, Manayunk, Germantown, Aramingo and Frankford, and of the commissioners and inhabitants of the district of Penn, and the board of health and controllers of the public schools, after deducting and cancelling the portions held by the respective sinking funds of the said several corporations, is

Consolidation of debts.



hereby consolidated and formed into one debt, to be called "the debt of the city of Philadelphia," and payable at the same times that the principals of said debts are now made payable; certificates of which said debts are to be issued in sums of not less than one hundred dollars, in lieu of the present separate debts so consolidated, to the respective owners, in lieu of their present certificates of the same, at the option of such owners, bearing the same rate of interest that the debts so to be exchanged now bear, and payable on the first days of January and July, at the office of the treasurer of the city of Philadelphia: there shall be annually raised by tax, in addition to the income of the corporation property, a sufficient sum to discharge the annual interest on the said consolidated city debt; and no debt shall be incurred, or loans made by the said city, without a cotemporaneous appropriation of a sufficient annual income or tax; exclusive of loans, to pay the interest, and sink the principal of such debt in thirty years.

Fiscal year, commencement of.

SECTION 39. The fiscal year of the city of Philadelphia, the board of guardians of the poor of the city of Philadelphia, the board of health, and of the controllers of public schools of the city of Philadelphia, and inspectors of prison, shall commence on the first day of January in each and every year: it shall be the duty of the board of guardians of the poor to furnish the councils of the city of Philadelphia, on or before the first day of March in every year, an estimate of the amount that, in their judgment, will be required during the current fiscal year for the maintenance and support of the alms-house establishment of the said board; and the controllers of public schools, and the board of health, the port wardens and inspectors of the prison severally shall, in like manner, on or before the same day in each year, furnish to the said councils the amount that, in their judgment, will be necessary for the support of public schools, and the necessary expenses of the board of health, the port wardens and inspectors of the prison respectively, for the current fiscal year; and the said city councils shall fix the rate, and levy all the taxes, now authorized by law, within the limits of said city and county, except the State tax, and direct the amount to be applied, and paid by the city treasurer, to health, school, poor, city, and other purposes, according to law: the said taxes shall be voted, so as to show how much is raised for said objects respectively; they shall be collected and accounted for to the treasurer as one city and county tax: the said tax, and all State taxes accruing within said city limits, shall be paid to the receiver of taxes, and all allowance made by law for the collection and prompt payment of the State tax, shall accrue to the city treasury, for the use of the city: *Provided*, That the said city councils shall so discriminate, in laying said city taxes, as not to impose upon the rural portions these expenses, which belong exclusively to the built portions of said city; for which purpose the assessors shall distinguish in their returns what properties are within agricultural or rural sections, not having the benefit of lighting, watching and other expenditures, for purposes exclusively belonging to built portions of said city; and all lands within said agricultural or rural districts, used for the purposes of cultivation or farming, shall be assessed as farm land: *And provided*, That no money shall be hereafter borrowed on the faith and credit of said city, unless the ordinance, or other authority authorizing the same, shall have been introduced at one stated meet-

Proviso

Proviso.



ing of the common council, and the draft thereof published in at least two of the newspapers of the city daily, for four weeks before the final consideration and passage thereof by the said common council: and at any stated meetings of the select council, held at least one week after the final consideration of any such ordinance by the common council, the select council may consider and act upon any such ordinance; but the select council shall not originate any ordinance, or other authority, for borrowing money; and no loan shall be authorized without a vote of two-thirds of the whole number of the members of each council: *And provided* Proviso. *also*, That it shall be the duty of the city councils to obtain by dedication or purchase, within the limits of the said city, an adequate number of squares or other areas of ground, convenient of access to all its inhabitants, and lay out and maintain such squares and areas of ground as open public places, for the health and enjoyment of the people forever.

SECTION 40. It may be prescribed by ordinance that paving of streets, except at the intersections thereof, and of foot ways, and laying of water pipes within the limits of the city, shall be done at the expense of the owners of the ground in front whereof such work shall be done, and liens may be filed by the said city for the same, as is now practised and allowed by law. Paving of streets, &c., expenses of.

SECTION 41. The county of Philadelphia shall continue to be one of the counties of this Commonwealth, and all county officers, not superseded by this act, shall continue in office, and continue to be elected and voted for, at the places of election provided for by this act, as in other respects now provided by law, and be denominated officers of the county of Philadelphia; and all courts shall continue therein to exercise the jurisdictions and powers now conferred upon them by the constitution and laws of this Commonwealth; and the councils of said city, and the officers thereof, shall exercise all the powers and authorities of the superseded county commissioners and county board, and commissioners of sinking fund, and of other officers not inconsistent with this act, in such way and manner as by this act is, or by the city councils may be established. County of Philadelphia to continue to be one of the counties of the Commonwealth.

SECTION 42. That the select and common councils of the city of Philadelphia shall be, and they are hereby authorized and directed to organize a police department in and for the said city, and may organize, if necessary, a fire department subordinate to, or independent of that of police, and to make, ordain, and establish all needful laws and ordinances for the regulation thereof, and for the preservation of the public peace, the suppression of riot and disturbances, and for the extinguishment of fires, and the protection of property thereat, and for this purpose the said councils shall be and hereby are vested with ample power and authority in the premises. Police Department, organization of.

SECTION 43. All laws providing for the appointment of tax collectors within the said city of Philadelphia, and all other laws altered or supplied by this act, are hereby repealed: *Provided* Repeal. Proviso. *however*, That the city of Philadelphia shall have and possess all and every the full power, right and authority to collect all the debts, demands, and property of all and every kind transferred to, and vested in the said city by virtue of this act, as if the corporations hereby dissolved were not extinct, and all suits to be brought therefor, shall be in the name of the city of Philadelphia, as if the same had been originally vested in the said city.

Acts of Legislature not inconsistent with this act to remain in force.

Proviso

SECTION 44. That all acts of the Legislature not inconsistent with this act now in force, shall continue in operation within the limits of the county, city, district, borough or township, in which they are now operative, under the authority of the city councils, courts, and officers created by this act, or permitted to continue, as consistent therewith, until such acts shall be altered or repealed by the Legislature: *Provided*, That the city councils shall have power, by ordinance, to extend the operation of laws now in force within the city, police, or municipal districts, to other parts, or over the whole of the enlarged limits, and to declare what laws have become obsolete by this act, or the extension as aforesaid of other laws: all ordinances of the present city of Philadelphia, and other municipalities within the county of Philadelphia, shall continue in force within the limits of said city and municipalities respectively, until repealed by said councils and no longer; and said councils, in enacting new ordinances, may make such distinctions between the built and rural portions of the new city, as they may deem required by circumstances: it shall be the duty of councils to cause the laws and ordinances of said city, as they shall be framed and adopted under this act, to be published for the information of the citizens, and to present copies thereof to the Executive, the State library, and each member of the present Legislature, and the Legislature to convene next after the publication, and to make application for such further legislation as shall thereupon be found necessary.

Removals from office.

SECTION 45. All officers elected by the qualified voters under this act, shall be subject to removal from office on impeachment for misdemeanor in office, or other sufficient cause, on charges to be preferred by the common council, and tried by the select council, in manner prescribed by the constitution and laws of this Commonwealth, as to the impeachment by the House of Representatives, and trial thereof by the Senate: all other officers shall be subject to removal for sufficient cause, in such manner as councils may determine.

Councils to fix compensation of officers.

SECTION 46. The city council shall fix the compensation, and prescribe the duties of all officers of said city, in such manner as to carry out the purposes of this act, and as the welfare of said city may require, not inconsistent with the laws and constitution of this Commonwealth, and of the United States: whenever any elective officer of said city shall die, or become incapable of fulfilling the duties of his office, his place, except where other provision is made for filling the vacancy, shall be filled by a joint vote of the city councils, until the next city election, and the qualification of a successor in the office: *Provided*, That such vacancy shall exist at least thirty days before the next city election, otherwise such vacancy shall be filled at the next election thereafter.

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Salaries not to be increased.

SECTION 47. No salary of any officer to be elected according to the provisions of this act, by the qualified voters of the city hereby incorporated, shall be increased or reduced by any act or ordinance to take effect during the term for which he shall have been elected, and in all cases where the salary of any officer shall not be fixed by law, it shall be fixed by the councils: *Provided*, That it shall not be lawful for councils at any time to pass an ordinance, or by other means provide for the payment of any money in the shape of per diem pay or compensation of any kind for services rendered by them in their capacity as councilmen or members of committees, emanating from councils.

Proviso



SECTION 48. No person shall at the same time be a member of more than one of the following bodies, to wit: The city councils, the guardians of the poor, the board of health, the controllers of the public schools, the directors of the public schools, and the inspectors of the county prison, nor shall any person be a member of any of these bodies, who is at the same time a salaried officer under the same or under any of them: *Provided*, That this shall not be construed so as to prevent a controller of the public schools from being at the same time a school director.

Restrictions as to officers.

Proviso.

SECTION 49. Every officer or agent receiving moneys for the city and payable to the city treasurer, shall give bond for the faithful performance of his duty, and shall be required to make return to the city controller once in every week, or oftener if councils shall direct, under oath or affirmation, of each item of the moneys received by him, and immediately upon making such return to pay the amount in his hands to the city treasurer: The said city controller is hereby authorized to administer such oath or affirmation, and any person falsely making such oath or affirmation, or guilty of falsehood in any other oath or affirmation required by the provisions of this act, or by any ordinance of councils made in pursuance thereof, shall be guilty of perjury.

Certain officers to give bond.

SECTION 50. It shall be the duty of the city councils to provide by ordinance, for the establishment and regulation of all the departments indicated by this act, and other laws in force in said city under the proper heads, and with the necessary clerks, officers and assistants, to wit: For law, police, finance, surveys, highways, health, water, gas, fire, the poor, the city proper, and the public grounds, and such others as may from time to time be needful, and through the mayor and proper committees the said councils shall maintain a supervision of each department, whether corporate or otherwise, and over the inspectors of the county prison, for the exposure and correction of all evils and abuses, and for that purpose may require the production and inspect all books and papers, and the attendance of witnesses by subpoena, and examine them under oath or affirmation, but no member or members of council, whether as a committee or otherwise, shall make any disbursement of corporate moneys, nor audit the accounts thereof, nor perform any other executive duty whatever: *Provided however*, That all officers who by force of any ordinance may have charge or authority in the assessment or collection of taxes, or the appropriation or disbursement of moneys, shall be elected by the popular vote on the first Tuesday of May in each year.

Councils to provide by ordinance for the establishment and regulation of all the departments.

Proviso.

SECTION 51. If any councilman, guardian of the poor, member of the board of health, controller or director of the public schools, or warden, inspector of the prison, or any other member officer, or agent of the said city corporation, or of any corporation or department by this act recognized, or clerk therein, shall at any time be directly or indirectly interested in any sale to or contract for supplies to be furnished to said city, or to any corporation or department by this act recognized or placed under the supervision of councils, of which he shall be a member, or officer, or clerk, or agent, or shall receive any gratuity money or property whatsoever, by reason of such sale or contract, or shall take any fee beyond that prescribed by law, he, if a councilman or elective officer, or officer appointed by court, shall be impeached in manner hereinbefore provided, and if found guilty shall forfeit and vacate his seat, and if any officer or clerk ap-

No officer to be interested in any sale or contract for supplies to be furnished to said city.



pointed by councils, shall be removed from his office or appointment, and any vendor or contractor participating in such act, shall be incapable of recovering any demand thus infected by fraud, and all such offenders shall be deemed guilty of a misdemeanor, and upon conviction of such offence in the court of quarter sessions for said city and county, shall be fined and imprisoned at the discretion of said court.

Meetings to be open and accessible to all citizens.

SECTION 52. The meetings of the said city councils and all corporations and boards authorized or recognized as existing under this act, except the board of health and board of inspectors of the county prison, shall be at all times open and accessible to all citizens deporting themselves with order and decorum.

City of Philadelphia not relieved from engagements to any railroads under any law of this Commonwealth.

SECTION 53. Nothing in this act contained shall be so construed as to relieve the said city of Philadelphia, as hereby extended, from any engagement or contract heretofore made by authority of the city councils, to subscribe to the capital stock of any railroad company, under any law of this Commonwealth, and all ordinances heretofore passed by the said city, or by any of the municipalities or districts hereby consolidated, and in force at the time of the passage of this act, and whereby subscriptions are authorized to be made to the stock of any such railroad company, shall be binding upon and carried out by said city municipalities and districts respectively, until this act shall go into effect, and thereafter upon and by said city hereby extended and consolidated, upon the performance of the conditions, if any required, by such ordinance or ordinances: And nothing in this act shall be so construed as to interfere in any manner, with any laws authorizing subscriptions to be made by the city of Philadelphia to any railroad company, passed prior to this act.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The second day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 17.

## AN ACT

Supplementary to the act incorporating the Phoenix Iron and Coal company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Phoenix iron and coal company, be and the same is hereby changed to, and the said corporation shall hereafter be known by the name of "The Union iron and coal company," with all the rights, privileges, powers and immunities, and subject to all the provisions, penalties and restrictions provided for and enjoined by the act incorporating the

Change of name.

Phoenix iron and coal company, approved January seventh, one thousand eight hundred and forty-two, and the supplement thereto.

SECTION 2. That the lands authorized to be held by the Phoenix iron and coal company, by the act incorporating the same, or any part thereof, may be located and held within the townships of Ransom and Lackawanna, or either of them, in the county of Luzerne.

Lands, where located.

SECTION 3. That the said Union iron and coal company, in addition to the lands authorized to be held by the aforesaid act of the seventh of January, one thousand eight hundred and forty-two, may acquire and hold within, or without this Commonwealth, and in one or more places, such lands as may be necessary for depots, stations and work shops, in the prosecution of its legitimate business: *Provided*, That the entire amount of lands so held, shall not exceed thirty acres.

Additional land may be held.

SECTION 4. That the said Union iron and coal company shall have the privilege of constructing a railroad, with one or more tracks, from their lands, to connect with the Delaware, Lackawanna and Western railroad, not exceeding six miles in length, under and subject to the provisions of the act regulating lateral railroads, and the several supplements thereto.

Authority to construct a railroad.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 18.

### AN ACT

Regulating certain Election Districts in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections in Clinton township, Wayne county, shall hereafter be held at the white school house in the village of Aldenville, in said township.

Clinton township, Wayne county.

SECTION 2. That the general and township elections for the township of Farmington, in the county of Warren, shall be held at the school house near West's corners, in said township, and that Asa Gregory, second, be the judge, and Hiram Knapp and John Aylesworth inspectors of said elections, for the year one thousand eight hundred and fifty-four.

Farmington township, Warren county.

SECTION 3. That from and after the passage of this act, the special, general and township elections for the township of

Brownsville township, Fayette county.

Brownsville, in the county of Fayette, shall be held at the brick school house, near Daniel Brubaker's, in said township.

Lamar township,  
Clinton county.

SECTION 4. That hereafter the general, special and township elections in the township of Lamar, Clinton county, shall be held in the town hall at Salona.

Susquehanna  
township, Lyco-  
ming county.

SECTION 5. That the general, special and township elections in the township of Susquehanna, in Lycoming county, shall hereafter be held at the house of Robert Simpson, in said township.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 19.

## AN ACT

Regulating certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the place of holding the general elections in Scott township, Columbia county, shall be at the public house of Henry Tumbley, and that the township elections therein, shall be held at the public house of Reese Fairman, and George Sloan is hereby appointed judge, and Erastus Barton and Theodore M'Dowell inspectors, to hold the first election in March next.

Scott township,  
Columbia county.

SECTION 2. That until otherwise appointed pursuant to law, the township elections for Bloom township, Columbia county, shall be held at the court house in the town of Bloomsburg.

Bloom township,  
Columbia county.

SECTION 3. That the general and township elections in the township of Shippen, in the county of M'Kean, shall hereafter be held at the house of Eli Felt, in said township.

Shippen town-  
ship, M'Kean  
county.

SECTION 4. That the place of holding the general, special and township elections in Binner township, Centre county, shall be at the Big Hollow school house, near the residence of John Hoy, in said township, and Daniel Houser is hereby appointed judge, and Solomon Morst and Jesse O. Clinger inspectors, to hold the first election in February instant.

Binner township,  
Centre county.

SECTION 5. That the qualified voters of the township of East Buffalo, Union county, shall hereafter hold their township and general elections at the house of George Wolf, in said township.

East Buffalo  
township, Union  
county.



SECTION 6. That the qualified voters of Penns township, Union county, shall hereafter hold their township and general elections at the house of Samuel Boyer, in said township. Penns township, Union county.

SECTION 7. That the qualified voters of the borough of Selinsgrove, Union county, shall hereafter hold their borough and general elections at the Union school house, in said borough. Selinsgrove, Union county.

SECTION 8. That the general, special and township elections of the township of Springfield, Delaware county, shall hereafter be held at the Central school house, in said township. Springfield township, Delaware county.

SECTION 9. That from and after the passage of this act, the name of Lower Mahantongo township, in Schuylkill county, be and the same is hereby changed to that of Hegins township, and that hereafter all general, special and township elections shall be held at the house of J. G. Renn, in said township: that the general, special and township elections in Hubley township, in Schuylkill county, shall hereafter be held at the house of Abraham T. Troutman, in said township, and that Jacob Artz, jr., be appointed judge, and Jacob Shire and Samuel Maurer, be appointed inspectors to hold the first election. Lower Mahantongo township, Schuylkill county.

SECTION 10. That the general and township elections for the township of Manheim, in the county of York, be hereafter held at the house now occupied by John Miller, in said township, and that John S. Dubbs shall be judge, and Levi Dubbs and John Bear the inspectors, to hold the election on the third Friday in March, one thousand eight hundred and fifty-four. Manheim township, York county.

SECTION 11. That the township, general and special elections in Dearfield township, Tioga county, shall hereafter be held at the house of William A. Faulkner, in said township. Dearfield township, Tioga county.

SECTION 12. That hereafter the qualified voters of Rush township, in the county of Centre, shall hold their general, township and special elections in the new district school house, in the town of Philipsburg, in said county. Rush township, Centre county.

SECTION 13. That the township of Pequesa, in Lancaster county, be and it is hereby erected into a separate election district, and the elections shall be held at the public house now occupied by Benjamin Rowe, in said township, and that John Mecartney, as judge, and Michael Zercher and Abraham Snively as inspectors, are authorized and appointed to hold the first election therein. Pequa township, Lancaster county.

SECTION 14. That the township of Providence, in Lancaster county, be and it is hereby erected into a separate election district, and the elections shall be held at the public house now occupied by Mary Miller, in said township, and that Samuel Huber, as judge, and John K. Rhorer and John Miller, junior, inspectors, are authorized and appointed to hold the first election therein. Providence township, Lancaster county.

SECTION 15. That hereafter the qualified voters of Carroll township, Cambria county, shall hold their general and special elections at the school house in Carrolltown. Carroll township, Cambria county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 20.

## A N A C T

Relative to the account of William C. M'Cormick.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Auditor General and State Treasurer be and they are hereby authorized and directed to open the several accounts settled by them against William C. M'Cormick, late collector of tolls on the Pennsylvania Canal and Portage Railroad, at Hollidaysburg, and upon sufficient evidence being adduced, the accounting officers shall make such allowance to him as he shall be legally entitled to.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 21.

## A S U P P L E M E N T

To the charter of the Allentown Iron Company, incorporated April twelfth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the stockholders of the Allentown Iron Company, at a meeting to be called in the usual manner under their charter, to authorize their president and directors to increase the capital stock of the said company one hundred thousand dollars, under all regulations of the original act of incorporation.

SECTION 2. That the said company shall be required to pay to the State Treasurer for the use of the Commonwealth, within one year after the passage of this act, a tax of one per cent. on the amount of capital hereby authorized to be increased.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 22.

## AN ACT

Authorizing the committee of John Hershey to purchase Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That* John Landis and Benjamin Hershey, committee of John Hershey, of Penn township, Lancaster county, are hereby authorised to purchase for the use of the said John Hershey and his family, a tract of land containing sixty acres, with a dwelling-house and other improvements thereon erected, situate in Rapho township, in the said county of Lancaster, at a price not exceeding three thousand five hundred dollars, and hold the same in trust for the use of the said John Hershey and his family during his life time: *Provided*, That the court of common pleas of said county before any such purchase is made shall approve of the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 23.

## AN ACT

Relative to a Bridge in Montgomery county.

WHEREAS, Upon the petition of sundry citizens of Limerick township, in Montgomery county, alleging that there was a necessity for a bridge over the Philadelphia and Reading railroad, at a place where a public road had then been lately opened, the court of quarter sessions of said county appointed a jury to view the site thereof, who reported that a bridge was necessary, which report was approved by the grand jury, but the commissioners of said county have doubted their authority to erect the same; Therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That* the commissioners of Montgomery county be and they are hereby authorized and required to erect a bridge over the Phila-



delphia and Reading railroad, in Limerick township, in said county, at the place where a public road leading from the Shanty's Ford road to the Lawrenceville bridge crosses the said railroad, and to provide for the payment of the same out of the county funds: *Provided*, That the cost of the same shall not exceed the sum of six hundred dollars: *And provided further*, That in the erection thereof, the said commissioners shall be governed in all respects by the provisions of existing laws in relation to the erection of county bridges.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

#### No. 24.

#### AN ACT

Authorizing the Canal Commissioners to examine the claim of George L. Hazlette, of Allegheny county, for damages, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Canal Commissioners are hereby authorized and required to examine the claim of George L. Hazlette, of Allegheny county, in the State of Pennsylvania, for damages alleged to be sustained by him by the breaking down of the towing-path of the Deer creek aqueduct, on the western division of the Pennsylvania canal, whereby the horses of the said George L. Hazlette were killed, and other damage sustained, and that the said commissioners are hereby required, after examining the claim of said George L. Hazlette, to report to the Legislature as soon as possible the actual amount of damages, if any, which said George L. Hazlette has sustained by the death and maiming of his horses.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 25.

## AN ACT

To revive and continue in force the law graduating lands upon which purchase money is due the Commonwealth, and to extend the time for patenting in-lots and out lots in the towns of Erie, Waterford, Beaver, Franklin and Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to graduate lands upon which money is due and unpaid the Commonwealth of Pennsylvania, passed the tenth day of February, Anno Domini, one thousand eight hundred and thirty-five, are hereby continued in force until the first day of February, eighteen hundred and fifty-five.

Extension of act.

SECTION 2. That the boards of appraisers designated in the said act shall, before appraising any lands under the provisions thereof, take and subscribe an oath or affirmation in open court of the proper county, or before one of the judges in vacation, or justice of the peace, justly and impartially to appraise and graduate the same according to law, and no certificate of valuation shall be acted on by the Surveyor General, unless a certified copy of said oath or affirmation be filed in the office of the Surveyor General: *Provided,* That where certificates have already issued from the Surveyor General's office on valuations heretofore made, the same shall be valid, notwithstanding the oath or affirmation required herein have not been taken and filed.

Board of appraisers to be sworn.

SECTION. 3 That the time for patenting the in-lots and out-lots in the towns of Erie, Waterford, Beaver, Franklin and Warren, authorized to be appraised by the fifth section of an act entitled "An act empowering the burgess and town council of the borough of Erie to supply the said borough with water," and for other purposes, passed the sixteenth day of April, one thousand eight hundred and thirty-eight, be and the same is hereby revived and extended till the first day of February, Anno Domini, one thousand eight hundred and fifty-five.

In-lots and out-lots, time for patenting extended.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 26.

## AN ACT

Supplementary to the act incorporating the Wiconisco Canal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the president and managers of the Wiconisco canal company, whenever they may deem it expedient, to increase the tolls on coal carried on said canal: Provided, That the said tolls so increased shall not, at any time, exceed the sum of one cent per ton per mile; and so much of any former acts as are altered or supplied by the provisions of this act, be and the same are hereby repealed.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 27.

## AN ACT

To incorporate the Kishacoquillas Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Cummins, Joseph Campbell, jr., James Brown, George Wilson, Robert K. Allison, Shem Zook, Yost King, Davis Bates, Samuel Kyle, William B. Johnston, Robert Milliken, James J. Taylor, John Taylor, of Robert, William M. Fleming, John Watt, Alexander Gibboney, Isaac Plank, Robert Campbell, Joseph Haffly, Christian Peachey, Joseph J. Wills, John Fleming, William Wilson, James Lashall, Jacob Zook, Eli Wakefield, Andrew Huey, Doctor John Metz, Martin Fleming, Jacob Ditwiler, Samuel Watts and James Alexander, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be a body politic and corporate, by the name of the Kishacoquillas mutual fire insurance company, and by that name shall have perpetual succession, and may sue and

Corporators.

Style.



be sued, and hold, purchase, receive and convey real and personal estate, (with the limitations hereinafter specified,) and may have and use a common seal, and alter or change the same at pleasure, and make by-laws, not inconsistent with any existing law, for the management of its property, and the regulation of its affairs; but nothing herein contained, shall be construed to give unto the said corporation any banking powers or privileges. Privileges.

SECTION 2. That in addition to the general powers and privileges of a corporation, as the same are declared by the foregoing section, the corporation hereby created shall have the power to insure against losses by fire upon any house, tenement, barn, manufactory, store, warehouse, or other building, and on goods, wares, merchandise and effects, hay, grain and other agricultural products contained therein, or upon the land, or in stacks, sheds, outhouses or otherwise, and upon buildings generally, and to make, execute and perfect, such and so many contracts, bargains, agreements, policies, and other instruments as shall or may be necessary, and as the nature of the case shall or may require. Additional privileges.

SECTION 3. That the real estate which it shall be lawful for the said corporation to purchase, receive, hold and convey, shall be— Real estate.

I. Such as may be requisite for its immediate accommodation in the convenient transaction of its business, or

II. Such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for moneys due, or

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted, or in the course of its dealings, or

IV. Such as shall be purchased at sales upon judgments, decrees or mortgages, obtained, or made for debts due said company, or for debts due other persons where said company have liens or incumbrances on the same, and the purchase is deemed necessary to save the company from loss on the liens or incumbrances held by it; and said corporation shall not purchase, receive, hold or convey real estate in any other case, or for any other purpose: *Provided*, That no real estate acquired by the corporation, excepting that requisite for the transaction of its business, shall be retained by said corporation for a longer period than seven years.

SECTION 4. That all persons who shall hereafter become insured in the said corporation, and also their executors, administrators and assigns, continuing to be insured in said corporation as hereinafter provided, shall thereby become members for and during the period they shall remain so insured, and no longer. Who may be members.

SECTION 5. That all the corporate powers of the said company shall be exercised by a board of seven directors, and such officers and agents as they may appoint; the persons named in the first section of this act, or a majority of them, shall meet in Bellsville within thirty days after this law shall be approved by the Governor, and from their number shall elect seven persons to serve as directors until the third Friday of May, Anno Domini, one thousand eight hundred and fifty-four, and until others are elected in their stead; and on the same day of each year thereafter, the members of the corporation shall meet at such place in the valley of Kishacoquillas, as the corporation in their by-laws shall appoint, for the election of a new board of directors, who shall continue in office for one year, or until others shall be Corporate powers, by whom exercised. }

elected in their stead ; and in the event of a failure to elect on the day herein appointed for such annual elections, the election shall be held as soon thereafter as practicable, public notice of time and place thereof having been given by advertisement in at least thirty-six public places in the valley, by written or printed hand bills, ten days before the holding the same.

Elections, how held.

SECTION 6. That every election for directors shall be by ballot, to be decided by a majority of the votes, and shall be conducted under the inspection of three members of the corporation, not directors nor candidates for any office in the corporation, to be appointed by the directors for that purpose ; each member shall be entitled to one vote.

Officers.

SECTION 7. That the board of directors, for the time being, shall choose a member of the board to act as president ; they shall also annually appoint a secretary, a treasurer, and one or more surveyors, and from time to time agents or such other officers as shall be deemed necessary for the proper conducting of the affairs of the corporation ; they shall fix the respective salaries and fees of the officers and agents by them appointed ; shall have power to displace any such officers or agents, and to supply any vacancy which may happen by the death, resignation or displacement of any incumbent, either in their own board, or in the officers or agents of the corporation ; a majority of the board of directors shall constitute a quorum for the transaction of business.

Rates of insurance.

SECTION 8. That the directors may determine the rates and terms of insurance, and limit the amount to be insured.

Deposits to remain as a pledge.

SECTION 9. That every person who shall become a member of this company by effecting insurance therein, who shall at and before the time he receives his policy make the deposit, and pay the rates that may be fixed and determined by the board of directors, and shall stand bound to contribute his proportion, according to the amount of his deposit and payment, of any loss or losses that shall happen to or be incurred by the corporation during the time or period for which he or she shall have been insured ; and the said deposit and payment shall be and remain as a pledge for the faithful performance of his or her covenants to and with the corporation ; and upon the withdrawal of any member, at the expiration of the time of his or her insurance, the said deposit and payment, together with a proportionate share of the profits, after deducting losses and incidental charges, if anything remain, shall be relinquished to him or her, his or her executors, administrators or assigns : *Provided*, That if the said property be not demanded within one year from the time of his or her withdrawal, they shall be forfeited to the corporation.

Proviso.

Assignments.

SECTION 10. That in case any assured, named in any policy or contract of insurance made by the said corporation, shall sell, convey, assign, pledge or incumber the subject insured, it shall be lawful for such assured to assign and deliver to such purchaser, assignee, bailee, or person holding such incumbrance, such policy or contract of insurance ; and such assignee of the policy or contract of insurance, shall have all the benefits thereof, and may bring and maintain a suit thereon in his own name : *Provided*, That before any loss shall have happened, the president or secretary of the corporation shall, under his proper signature, endorse or annex to such contract or policy of insurance, his ap-

Proviso.



proval of such assignment, to be according to the established regulations for that purpose, and not otherwise.

SECTION 11. That when any member of this corporation shall sustain any loss or damage by fire, he or she shall give immediate notice to the president and directors of the company at their office, to the end that the directors, their officers and agents may examine and inquire into the same. Losses or damage by fire.

SECTION 12. That the directors for the time being shall, with all convenient expedition after any loss sustained, settle a rate of contribution according to the amount deposited, and publish the same in such manner as they shall think fit, and when such rate shall exceed the dividend of interests or profits on the amount of all money deposited, all and every of the members of the company shall pay into the hands of the treasurer or or agent who may be appointed to collect the same, his or their proportionable part of such rate within sixty days after such publication as aforesaid, and in default of such payment, he or they and every of them making such default therein, shall forfeit and pay double the said rates, and neglecting to pay the said forfeiture for thirty days more, shall or may by the directors for the time being, be excluded and debarred from any benefit or advantage from his or their insurances respectively, and all right to the stock of this corporation, and shall notwithstanding be liable to the said rates, pursuant to his or their covenants and agreements. Directors to settle a rate of contribution.

SECTION 13. That it shall be lawful for the said corporation to invest their premium profits and capital in bonds, mortgages, ground rents, stocks and loans of the United States and State of Pennsylvania, and other good securities, and to sell, transfer and change the same, and re-invest the funds of the said corporation when the directors shall deem it expedient. Investment of premium profits.

SECTION 14. That suits at law may be maintained by said corporation against any of its members for any cause relating to the business of the corporation, also suits at law may be prosecuted and maintained by any member against the corporation for losses or damage by fire, if payment be withheld more than three months after the company is duly notified of such loss or damage, and no member of the corporation shall be debarred from testifying in any case on account of his being a member of the said corporation, and no member or officer of the said company, not being in his individual capacity a party to such suit, shall, on account of his being a member or officer of the corporation, be disqualified or rendered incompetent as a witness in any such suit. Suits at law

SECTION 15. That the officers of the corporation shall at the annual meeting for the election of directors in every year, cause a statement to be made of the affairs of the company, and a balance to be struck of the profit and loss account, and if there be a surplus after paying all the losses and expenses incurred by the company for the year then preceeding, each member shall be credited with such proportion of such surplus as his deposit or payment may bear to the aggregate of deposits or payments. Statement of affairs.

SECTION 16. That within thirty days after the annual meeting for the election of directors in every year, it shall be the duty of the officers of the corporation to cause to be made and published by at least thirty-six written or printed handbills, in the said valley, a general balance statement of the affairs of the corporation such statement shall contain : General balance statement.



I. The amount of deposits and premiums received, and the amounts derived from interest on loans and investments during the same period.

II. The amount of expenses of the company during the same period.

III. The amount of losses incurred during said period.

IV. The amount remaining with the company.

V. The nature of the security on which the same is loaned and the amount of cash on hand, and generally all other matters necessary for a full exposition of the affairs of the corporation.

Location of office. SECTION 17. That the office of the said corporation shall be located at such place in the valley of Kishacoquillas as the directors may establish.

Rewards. SECTION 18. That the directors shall have authority to reward out of the funds of the corporation, such persons as are voluntarily and usefully active in cases of fire.

Acts legalized. SECTION 19. That all the acts done by the aforesaid company in pursuance of the foregoing provisions of this act, although without authority of law, the stockholders having proceeded as if the bill had been passed at the last session and approved by the Governor, which was a mistake on their part, are hereby made good and valid, and in all things to be as legal and binding upon the said company and all persons having to do with the company in business transactions of any kind and nature whatsoever, as if the foregoing provisions of this act had been approved by the Governor and thereby having become a law.

Repeal. SECTION 20. That the Legislature may at any time alter or repeal this act, in such manner however as shall do no injustice to the corporators, or wrongfully affect any contract or engagement made by the corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 28.

## AN ACT

To incorporate the Pittsburgh Female College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a seminary or college for the liberal education of female youth in the various branches of science, literature and the arts, shall*

be established in the city of Pittsburgh, in Allegheny county, Style.  
by the name and style of the Pittsburgh Female College,

SECTION 2. That the first trustees of said college shall be Trustees.  
Allen Kramer, Edward Heazleton, James B. Woodwell, A. Bradley, Jonathan Kidd, Francis Sellers, W. J. Kountz, J. B. Canfield, Benjamin Glyde, Dennis Leonard, William B. Pusey, W. W. Wallace, H. D. Sellers, A. M. Bryan, William M. Wright, E. Rahn, Samuel M. Kier N. Holmes, D. H. Riddle, Christopher Zug, William B. Schaife, James Bensey, senior, Homer J. Clark, George R. Riddle and William Bingham, who, and their successors to be elected as hereinafter directed, shall be a body corporate and politic by the name, style and title of the Pittsburgh Female College, to have perpetual succession, with legal ability to sue and be sued, and in law and in equity to take, hold and dispose of for the use of said college any description of property, whether real or personal, by deed, gift or devise, and to erect such public buildings as may be necessary, and generally to do all things for the well being of said college which such corporation may rightfully do: *Provided*, That two-thirds of the trustees hereafter to be elected shall be members of the Methodist Episcopal church.

SECTION 3. That the said Pittsburgh Female College shall have Seal.  
full power to use one common seal, and to alter and renew the same at their pleasure.

SECTION 4. That the said trustees shall hold their first meet- Meetings of trust-  
ing for receiving subscriptions to said college on the first Mon- tees.  
day of May next, after the passage of this act, and shall then, with the concurrence of the stockholders, enact ordinances and by-laws for the government of said corporation, to be of force until repealed or modified at an annual meeting of the corporation of trustees and stockholders, to be held on the first Monday of every succeeding month of May, and shall then divide themselves into four classes of equal numbers: The seats of the first class shall be vacated in one year; the seats of the second class in two years; the seats of the third class in three years, and the seats of the fourth class in four years, so that one-fourth of the whole number of twenty-four trustees may be chosen by the stockholders annually on the first Monday in May, in all following years.

SECTION 5 That said trustees, nine of whom shall be a Officers.  
quorum, shall elect from their number a president of the board of trustees, a secretary and a treasurer, the latter of whom shall give bond as the by-laws shall require, and shall have power to appoint and remove teachers and professors in said college, to elect all officers necessary and proper for the government of the college or corporation, to define their duties, compensation and terms of service, and determine all matters and things necessary to the good order and wise management of the same for the public good.

SECTION 6. That the capital stock of said corporation shall Capital stock.  
consist of two hundred shares, with the privilege of increasing the same to one thousand shares of one hundred dollars each, payable one-third at the time of subscribing and the balance in instalments bearing interest of one and two years, and upon full payment of each share subscribers shall receive a certificate of stock, transferrable in person or by attorney on the books of the corporation, wherein shall be recorded the certificates issued under its seal to persons entitled by this act to receive



Proviso.

them: *Provided*, That the clear yearly revenue of said corporation shall not exceed five thousand dollars.

Scholarship.

SECTION 7. That each subscriber of five hundred dollars to the capital stock of said college, paying one-fifth thereof at the time of subscribing, and the balance in annual instalments of one fourth part yearly with interest thereon, shall receive instead of certificates of stock under the seal of the corporation, a certificate of perpetual scholarship in said college free from its fixed charges, for the tuition of one scholar in those branches of education necessary to graduation and none other: The owner of such certificate of perpetual scholarship shall have the same right of transferring it as is given to shareholders, and the right of voting in the affairs of the corporation as for five shares of stock therein.

Votes.

SECTION 8. That for each share of stock subscribed for, held and paid for as in sections six and seven, the holder thereof shall be entitled to one vote in all elections for trustees, and in all other matters to be decided by vote according the provisions of this act.

Diplomas.

SECTION 9. That the trustees in connection with the faculty of the college, shall have power to confer upon the pupils of the institution such evidence of attainments in literature, science and art as is granted in other female colleges, in the form of diplomas and degrees at the termination of the assigned term of their collegiate course, and after graduation shall have power to confer upon them as the just reward of actual literary merit, any additional honor within the collegiate province to grant them.

College to be under the superintendence of the Methodist Episcopal Church.

SECTION 10. That the Pittsburgh Female college shall be equally free for pupils of any religious denomination, but shall be under the general superintendence of the Methodist Episcopal church, and in addition to the trustees hereinbefore authorized to be elected, the bishop of the aforesaid church who now is or who may hereafter be a resident in Pittsburgh or its vicinity, the presiding elder of the Pittsburgh district, and the respective pastors of the several Methodist Episcopal churches and Protestant Methodist churches in the cities of Pittsburgh and Allegheny, shall be ex-officio members of the board of trustees of the said college.

Vacation of seats of members.

SECTION 11. That the trustees of said college shall have power by vote upon their journal, to vacate the seats of its members habitually absent from the meetings of the board: *Provided*, Due notice and sixty days time be given to the party for the correction of the evil: Upon such vacancy or vacancies by death or resignation occurring, the trustees shall appoint other trustees in the place of those so removed, and for the same term of service.

Proviso.

Misnomer.

SECTION 12. That no misnomer of the said corporation shall defeat or annul any gift, grant or bequest intended to enure to the benefit of said college.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The tenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 29.

## AN ACT

To confirm the title to certain Real Estate in the district of Spring Garden and county of Philadelphia.

WHEREAS, The equitable title to a large tract of land in the district of Spring Garden and county of Philadelphia, was purchased at sheriff's sale, in the year one thousand seven hundred and ninety-eight, by Samuel Coates, under proceedings on a judgment obtained in the Supreme Court of this State, by the president, directors, and company of the Bank of North America, against a debtor of the said bank, and the legal estate therein was subsequently granted by John Penn to the said Samuel Coates, as appears by the deed of Jonathan Penrose, sheriff, dated May the seventeenth, Anno Domini one thousand seven hundred and ninety-eight, and entered among the records of the Supreme Court, in book B, page forty-one, and the deed of the said John Penn, by his attorney in fact to the said Coates, dated December the eighteenth, Anno Domini one thousand seven hundred and ninety-eight, recorded in deed book, number seventy-eight, page two hundred and forty-two, et cetera :

*And whereas,* It appears by a declaration of trust, dated December the twenty-sixth, Anno Domini one thousand seven hundred and ninety-eight, recorded in deed book number seventy-seven, page five hundred and forty-one, et cetera, executed by John Nixon, Josiah Hewes, and William T. Smith, the grantees of the said Coates, that the said purchase was made, and lands were held in trust for the said Bank of North America, the plaintiffs in the judgment above mentioned :

*And whereas,* The whole of the said tract has, more than forty years since, for valuable considerations paid to the said bank, been sold and conveyed by the said bank, and their trustees, to divers persons ; and a large number of buildings have been erected on various portions of the said tract, held under title so derived, and large sums of money have been paid to the State for taxes thereon, since the said bank has parted with all her interest therein ; but doubts have been expressed as to whether the title to the said tract be not defective, by reason of the statutes of mortmain and of a want of power on the part of the said bank, under its former charter, to hold real estate even when purchased under judgments obtained by the said bank, although such power is contained in its present charter :

Now, therefore, for the purpose of confirming the said title, and validating the said purchase,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of all persons who may have purchased, or taken any portions of the tract of land described in the aforesaid deed, from Jonathan Penrose, sheriff, to Samuel Coates, by title derived from the president, directors, and company of the Bank of North America, or from their trustees, shall be as valid and indefeasi-

ble as if the said bank had been, by its charter and act of incorporation, fully empowered to take and hold the said tract of land.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-four. WM. BIGLER.

### No. 30.

### A N A C T

To consolidate and amend the Road Laws of the counties of Beaver, Butler and Lawrence.

Number of view-  
ers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers, appointed by the courts of quarter sessions of the counties of Beaver, Butler and Lawrence, shall be three, one of whom shall be a surveyor, if deemed necessary; every view, review, and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court: the provisions of this section shall include viewers appointed to inspect bridges under the thirty-ninth section of the general road law of eighteen hundred and thirty-six.

Public notice to  
be given.

SECTION 2. In all cases of the appointment of viewers, in the said counties, to view the site of a bridge, or to view and locate, vacate or change and supply any public or private road, or to review or re-review the same, the said viewers, reviewers, or re-reviewers, or one of them shall, before proceeding to view, give public notice by three or more advertisements put up, at least five days before the time of meeting, in the most public places in the vicinity of the place to be viewed, of the time and place they will meet for the purpose of making such view.

Viewers to pro-  
cure releases.

SECTION 3. If the viewers aforesaid shall decide in favor of locating a site of a bridge, or of a public road, or to make any change in the location of any public road which they were appointed to review, re-review, or to change and supply, it shall be the duty of the said viewers to endeavor to procure from the persons, through whose lands such location or re-location may be made, releases from all claims of damages that might arise from opening the road, which releases shall be good, if in writing only, though not under seal: in every such case where the said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages, and make report thereof,

signed by a majority of their number, and return the same, together with all releases obtained, to the proper court of quarter sessions: *Provided*, That any person affected by such report shall be entitled to a review of his damages, upon presenting a petition therefor not later than the third day of the next stated term, after the term to which the report is returnable; but when there is more than one petition presented, founded on the same report of viewers, or where a review or re-review of the road is granted at the same term, the court may appoint the same reviewers, or re-reviewers, on all the petitions, and direct one order only to be issued for the review or re-review of the road and the assessment of the damages, or for the assessment of the damages in all the cases. Proviso.

SECTION 4. It shall be the duty of the said court to examine, Damages. carefully, the amount of damages assessed as aforesaid, and if the court shall be satisfied that the amount of damages assessed in any case, is such that the public interest will be subserved by its payment and the opening of the road, they shall confirm such view, review, or re-review, and the assessment of damages, which shall be paid as directed by law; but if the said court shall not be so satisfied, the said report shall not be confirmed, unless the damages shall be first paid by the petitioners or other persons interested.

SECTION 5. When the viewers appointed shall decide in favor of locating or re-locating a private road, they shall view and assess the damages, if any, and make report thereof, and the proceedings thereupon to review or re-review the damages, shall be as hereinbefore provided in cases of public roads. Viewers to assess damages.

SECTION 6. All acts of Assembly supplied by this act, or inconsistent herewith, except the general road law, passed the thirteenth day of June, one thousand eight hundred and thirty-six, and as much of the last named law as is inconsistent herewith, are hereby repealed, so far as regards the counties of Beaver, Butler and Lawrence: *Provided*, That all proceedings Repeal. under former laws now pending, shall be prosecuted to a final completion or determination under the same laws, and under this act, so far as the same is applicable, as fully as though they were not supplied or repealed. Proviso.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.



## No. 31.

## AN ACT

To confer on Mary Amelia Trauger the rights and privileges of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Mary Amelia Trauger, an illegitimate daughter of George L. Trauger, of the township of Nockamixon, in the county of Bucks, and his now wife Lucy Ann, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit from George A. Trauger and Lucy Ann his wife, and transmit any estate whatsoever, as fully and completely to all intents and purposes as if she had been born in lawful wedlock.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 32.

## AN ACT

Authorizing the school directors of Pottstown to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of the borough of Pottstown, in Montgomery county, be and they are hereby authorized and empowered to borrow any sum or sums of money as they may deem necessary, not exceeding in the whole the sum of three thousand dollars, at any rate of interest not exceeding six per cent. per annum, for the payment of the debts of said school district and for the erection of a new school house, and for the improvement of the grounds attached to the same in said school district: *Provided, That* no certificate of loan for the sums so borrowed

shall in any case be issued for a less sum than one hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
 M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 33.

## A N A C T

To incorporate the Richland Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Thomas, Joshua Foulke, Jacob Clymer, Benjamin G. Foulke, Samuel Carey, William P. Roberts, Samuel Kinsey, Abram Zetty, Richard R. Green, Edward Foulke, John Strawn, Joseph R. Lancaster, Daniel R. Heist, David Johnston, George Custard, John C. Lester, Amos Edwards, Jr., Aaron Penrose, Lewis B. Thompson, Charles F. Meredith, Charles Jemison, John Ball, Joseph Heimebucht, Samuel Shaw, Jr., Samuel N. Miller, John B. Missimer, Enos Artman, David Jemeson, Thomas P. Ball, Elias D. Struck, Levi Ochs, and Joel B. Roberts, or any seven of them be, and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company by the name, style, and title of "The Richland Turnpike or Plank Road Company," with power to construct a turnpike or plank road, beginning at or near the proposed Depot of the North Pennsylvania railroad, near Johnson's corner, in Richland township, Bucks county, thence extending upon or near the bed of the present road, leading to Quakertown, to the end of the Quakertown and Sellersville turnpike road, thence upon or near the bed of the Philadelphia and Bethelhem mail stage road, to a point where the Richland and Milford township line crosses said road in said county of Bucks, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, approved the seventh day of April, one thousand eight hundred and forty-nine, except that the turnpike or plank road company shall not be subject to that part of said act regulating tolls, but is hereby authorized to charge the same rate of tolls as are allowed to be charged by the act incorporating the Spring House, Northampton Town, and Bethlehem turnpike road company, and the supplement

Corporators

Style.

Privileges.

Proviso.

thereto : *And provided further*, That when said company shall have made and completed said road from a point at or near the proposed depot aforesaid, to the end of the Quakertown and Sellersville turnpike road at Quakertown, they shall have power to collect and receive toll on the same.

Capital stock.

Proviso.

SECTION 2. That the capital stock of said company shall consist of two hundred shares, at twenty-five dollars each : *Provided*, That the said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as, in their judgment, may be necessary to carry out the true meaning and intent of this act.

Time of election.

SECTION 3. That the election for officers of said company be held on the first Saturday of January in each and every year, instead of the time designated in the general turnpike law before mentioned.

Commencement  
and completion of  
road.

SECTION 4. That if said company shall not commence the construction of their road within three years of the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 34.

## AN ACT

To incorporate the James Page Library Company of Kensington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the members of the association called the "James Page Library company of Kensington," and all such persons as now are or may be hereafter admitted members of said association, shall be and they are hereby declared a body politic and corporate, by the name and style of the "James Page Library company of Kensington," to have perpetual succession, and be capable to take, hold and enjoy, lands, tenements and hereditaments, to use a common seal, and to break, alter or renew the same at pleasure : *Provided*, That the clear yearly value of the real estate by them held, shall not exceed three thousand dollars.

SECTION 2. That the officers of the said corporation shall consist of a president, two vice presidents, treasurer, secretary, and two librarians, to be chosen annually, by ballot, on the third Tuesday in March : if an election shall not be held at the time



appointed, the corporation shall not, for that cause, be dissolved, but an election shall be held as soon afterwards as may be; and until such election the officers in place shall continue to act; the present officers, to wit: President, Peter Fisher; vice presidents, John W. Smith, James C. Atkinson; treasurer, William S. Bartle; secretary, Joseph Hacker; librarians, John Nuskey, junior, Aaron Keyser, shall continue to hold and exercise their respective offices.

SECTION 3. That the powers and duties of the officers herein mentioned, and of all others who may be hereafter appointed, the time of meeting of the said corporation, the admission of new members, and the other concerns of said corporation, shall be regulated by the by-laws and ordinances of said corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 35.

## AN ACT

Authorizing the Governor to incorporate the Chess Spring Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jerome Dawson, Anthony Will, Francis Christy, Patrick Iroy, Daniel Litzinger, Andrew Maguire, John A. Maguire, John M'Neal, or any five of them, are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style, and title of the Chess Springs plank road company, from Galitzen to Chess Springs, with the privilege of extending the same to Carrolltown, Cambria county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and supplements thereto.

SECTION 2. That the capital stock of said company shall consist of five thousand shares, of twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders called for that purpose, increase the capital stock so much as in their opinion may be necessary to complete said road, according to the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have completed five miles of their road, they shall have power to erect

toll-gates, and receive the same toll per mile as allowed by the twelfth and thirteenth sections of the aforesaid act, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 4. That if said company shall not commence the construction of said road within three years, and complete the same within ten years from and after the passage of this act, the said act shall be null and void, except so far as it may be necessary to settle up and pay the debts of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 36.

## AN ACT

To incorporate the Commonwealth Insurance Company of the State of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Horatio G. Jones, William Bucknell, Thomas S. Smith, James Page, Austin Gray, Francis Lee, William Robertson, Elias Simpson, John Lancaster, David Landreth, Edward Kelley, Thomas Greer, Edward Greble, Mark Balderston, Richard Vaux, John Floyd, jr., Jacob Reed, James M. Leonard, Jacob Steiner, Samuel R. Brick, Thomas Stewart, S. S. Moon, Jeremiah Butter, William Brown, William J. Crans, George H. Hart, Joseph Sailer, R. Rundle Smith, Joseph Howell, Samuel Rice, Samuel Weer, Thomas Manderfield, Benjamin L. Berry, Edward G. Webb, George W. Farr, Joshua S. Fletcher, Alexander Cummings, Alexander Brown, Joseph Allison, Gilbert S. Parker, Thomas Goodwin, John A. Philips, Daniel M. Fox, Daniel S. Beedeman, John Evans, John Gilbert, George Horter, William Leahar, Joseph M. Stoddart, William P. Hacker, S. G. Hamilton, Robert G. Simpson, be and they are hereby appointed commissioners for receiving subscriptions to the capital stock of a company to be called the Commonwealth Insurance company of the State of Pennsylvania, who shall open a book for that purpose in the city of Philadelphia, at a time and place to be by them designated, and of which they shall give public notice in two or more daily newspapers published in said city, for two successive weeks immediately preceding the time of opening the books as aforesaid, and the said book shall be kept open for three suc-

Corporators.

Style.



cessive days, from eleven o'clock, A. M. until three o'clock, P. M., on each day, or until the number of ten thousand shares shall be subscribed for at fifty dollars per share, and all persons of lawful age shall be permitted to subscribe to the said stock, by paying five dollars on each share at the time of subscribing: And if the whole number of shares shall not have been subscribed within the said three days, the said commissioners shall have power to re-open the said book at such times and places as they shall deem expedient, and continue the same open until the whole number of shares shall be subscribed: *Provided*, That Proviso all acts which the said commissioners are hereby authorized to do, shall be as effectual and valid if performed by any five of them or by a committee appointed by a majority of them, as if performed by them all.

SECTION 2. When one thousand shares of the capital stock Letters patent. aforesaid shall have been subscribed and at least five dollars per share paid in, the said commissioners or a majority of them shall certify to the Governor, under their hands and seals, the names of the subscribers and the number of shares by them respectively subscribed, and the Governor shall thereupon by letters patent under his hand and the seal of the State, erect and create the subscribers into a body politic and corporate by the name, style and title of the Commonwealth Insurance company of the State of Pennsylvania, to be located in the city or county of Philadelphia, by which name, style and title the said subscribers and their successors shall have perpetual succession, and may sue and be sued, plead and be impleaded in all courts of record and elsewhere, and may purchase, receive, have, hold, use, occupy, possess and enjoy to them and their successors lands, tenements, hereditaments, goods, chattels and effects of what nature, quality or kind soever, real, personal and mixed, necessary or convenient to carry in effect the powers and privileges hereinafter granted, and to receive and collect all promissory notes or choses in action taken in the course of their corporate business, and the same to sell, demise, grant, alien or dispose of: *Pro-* Proviso. *vided*, That the yearly income of the real estate so held, except such as shall be necessary or convenient for the transaction of their business, or which may be conveyed to said company in trust, or for the security or in payment of any debt which may become due or owing to them, or in satisfaction of any judgment of any court in their favor, shall not exceed the sum of six thousand dollars: and the said company shall have power to make, have and use a common seal, and the same at pleasure to break, alter and renew.

SECTION 3. That the capital stock of said company shall be Capital stock. called in, and paid at such times and places, and in such proportions and instalments as the president and directors may require, giving public notice thereof for three successive weeks in two or more daily newspapers published in the city of Philadelphia, and if any stockholder shall neglect to pay such proportion or instalment at the time and place appointed, he shall in addition to the proportion or instalment so called for and payable by him, pay at the rate of one per centum per month for the delay of payment, and if the same and the additional penalty, or any part thereof shall remain unpaid for the period of six months, he shall, at the discretion of the directors, forfeit to the use of the company, all his right, title and interest in, and to every and all share or shares, on account of which



such default in payment may be made, or the said directors may at their option, sue for the amount due on such stock and recover the same, together with the penalty of one per centum per month as aforesaid; and in the event of a forfeiture of any share or shares, they may be disposed of at the discretion of the directors, under such rules and regulations as may be prescribed by the by-laws; and no stockholder shall be entitled to vote at any election, or at any general or special meeting of the company, on whose share or shares any instalment or arrearages may be due more than ten days previously to said election or meeting.

Affairs, how managed

SECTION 4. That the affairs of the company shall be managed by ten directors, of whom six shall be a quorum for the transaction of business, who shall be citizens of this Commonwealth, and stockholders of the company, each holding at least five shares in his own right; they shall be elected annually on the first Monday of January by the stockholders at a general meeting assembled for that purpose, of which meeting public notice shall be given in two or more daily newspapers, published in the city of Philadelphia, for three successive weeks immediately preceding the holding of the same; and the directors at their first meeting after each election shall choose one of their number as president; and in case it should happen at any time that an election of directors should not be made at such meeting, the company for that cause shall not be dissolved, and it shall be lawful within thirty days' thereafter to hold and make an election of directors in such manner as shall be regulated by the by-laws and regulations of the company, and in case of the death, resignation, or removal from office of any director, his place may be filled for the remainder of the term in such manner as the by-laws of the company may direct: *Provided*, That the first election of directors shall be held at a time and place to be appointed by the commissioners before mentioned, they giving notice thereof in manner aforesaid; and all directors of the company duly elected shall hold their offices until new directors shall be chosen in their place; the votes for directors shall be by ballot, and each share of stock shall entitle the holder to one vote, but no person shall vote by proxy, nor shall any stockholder vote for directors unless the share or shares on which the vote is claimed shall have been standing in the name of the holder, at least thirty days' previous to the election.

Power to sell and dispose of stock.

SECTION 5. The directors for the time being shall have power to sell and dispose of all stock of the company that may remain unsold at the time of electing the first board of directors under such regulations as to notice and sale as they may adopt; to establish and appoint such and so many officers, clerks, agents and agencies in this State, or elsewhere, as may be by them deemed convenient or necessary for conducting the business of the company, to fix their compensation, to take bonds from all or any of them, with security for the faithful execution of their several duties, to make such covenants, contracts, and agreements about the business of the company as they may deem proper; to ordain, establish, and put in execution all such ordinances, regulations, and by-laws as may appear necessary for the government, or conducive to the interests of the company, not being contrary to the provisions of this act, or to the Constitution and laws of the United States and of this State, and generally to do, execute and perform all acts, matters, and things in rela-

tion to the business of the company which a corporation may or can lawfully do.

SECTION 6. The said company shall have power and authority, on the security of their stock and property, or on the principles of mutual insurance, at such rate of premium as may be agreed upon, to make insurance and to guarantee against loss by fire on all kinds of real and personal property and effects, and against the risks of transportation of all kinds of merchandize, money, gold, silver, or other property and persons, whether by ocean, canal, or lake navigation, or by railroad or other means of transportation, either by land or water or by both land and water, and of all kinds of lawful pursuits, business, or transactions, in which there is or may be danger of loss or risk, and also to grant annuities and make insurances on lives of whatever sort or nature, and to take and hold every description of property and estates, real or personal, in trust, and the trusts thereof to execute according to their terms and conditions, and to make and execute such contracts, agreements, policies, and other instruments of writing as shall or may be necessary, and as the nature of the case may require.

Company to make insurance.

SECTION 7. That it shall be lawful for the said company to employ and improve the capital stock thereof, and all moneys received for premiums, in trust or otherwise, in any available loans or stocks, or to lend the same or any part thereof upon any good and sufficient security, and also to sell and dispose of, and transfer all or any of the said loans, stocks, and securities, and invest the proceeds thereof in like and other such loans, stocks, and securities: *Provided*, That nothing contained in this act, shall in any way be construed to authorize the said company to use their capital stock, or other funds, for banking purposes.

Employment of capital stock.

Proviso.

SECTION 8. The directors of said company shall, on the first Mondays of the months of December and June, in each and every year, declare and divide so much of the profits of the company as to them shall appear advisable, first deducting all expenses, and pay the said dividend to the respective stockholders or their agents duly empowered, in ten days after declaring the same; but the moneys received as premiums upon risks which remain outstanding and undetermined at the time of declaring such dividends, shall not then be considered as profits, or divided as such; and if any loss shall happen, whereby the capital stock of said company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the capital stock, and if the directors shall knowingly make any dividend contrary to the prohibitions herein contained, such of them as shall consent thereto, shall, in their individual capacities, be accountable for, and pay over to the company, for the use thereof, as much money as they may so divide, and pay more than by this act they are authorized to do, and the president and each director of the said company, in office at the time of making any dividend hereby prohibited, shall be deemed as consenting thereto, unless he or they shall at the time of making and declaring the same, be absent from the board of directors, or if present, shall immediately enter his or their protest on the minutes of the board, and also give notice thereof in two or more newspapers published in the city of Philadelphia: *Provided*, That if the said company should fail at any time to meet its engagements, each person holding stock at the time of such failure, shall be liable, in his individual capacity, for the

Dividends.

Proviso.



debts of said company, to the amount of the balance unpaid on the stock so by him or her held.

Stock transferrable.

SECTION 9. The stock of said company shall be transferrable on the books of said company only, according to such rules and regulations as may be prescribed by the by-laws.

Reservation.

SECTION 10. That if at any time it shall appear to the legislature that the said company has abused or misused any of the privileges hereby granted, the power to repeal this act shall in no wise be denied or impaired, but such repeal shall in no wise effect the engagements to which said company may have become a party previously thereto, nor shall it be done in such manner as to do injustice to the corporators.

Banking privileges prevented.

SECTION 11. That this corporation shall not exercise any banking privileges, or issue any certificate or other paper to be circulated as bank paper.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

### No. 37.

### A N A C T

To authorize the Pennsylvania Railroad Company to make connections to and from their Freight Depot, in the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pennsylvania railroad company be and they are hereby authorized to make such connection from their freight depot, in the city of Philadelphia, by laying a track or tracks of railway from said depot along Juniper street to Market street, and along Olive street to Broad street, to connect with the railroad on said Market and Broad street respectively, with such extension along the said Juniper street to or beyond Kelly street, as may be necessary and convenient for the accommodation of cars and the transaction of their business of transportation: Provided, That the consent and approbation of the select and common councils of the city of Philadelphia first be had in writing; and if constructed, the laying of said track or tracks shall be subject to the control and direction of said councils, or their deputed agent or agents.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 38.

## A N A C T

Providing for Motive Power expenses on the Allegheny Portage Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of twenty thousand dollars be and the same is hereby appropriated to pay laborers and others connected with the motive power department of the Allegheny Portage railroad, to be drawn in the usual manner, and to be deducted out of the appropriation for said road for the present year.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 39.

## A N A C T

To authorize the Commissioners of Erie county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Erie be and they are hereby authorized and empowered to borrow, on the credit of the said county, any sum or sums of money, in addition to any sum or sums already authorized to be borrowed by said county, not exceeding the sum of twenty thousand dollars, and therefor to issue bonds or certificates of indebtedness of said county, of any denomination not less than one hundred dollars, payable at the expiration of twenty years, or any shorter period from the date of issue of such bonds or certificates, at any rate of interest not exceeding six per centum per annum, payable semi-annually or otherwise to the holder or holders of such bond or bonds, certificate or certificates.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 40.

## AN ACT

Regulating and equalizing the width of Green street from Broad to Fairmount streets, Spring Garden, county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Green street, formerly called Hunter street, as laid out in the plan of the district of Spring Garden, in the county of Philadelphia, between Broad street and Schuylkill Fourth street, be and the same is hereby widened ten feet on each side thereof, so as to make the whole width of said street seventy feet: *Provided, That the additional width shall constitute part of the footways of said street.*

SECTION 2. That the said Green street, between Schuylkill Fourth and Fairmount streets, be also widened on the south side thereof two feet seven inches, and on the north side thereof one foot five inches, making the whole width of said street seventy feet.

SECTION 3. That the parties interested shall raise and pay the amount thereof prior to the widening of said street.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 41.

## A SUPPLEMENT

To an act entitled An Act to incorporate the Pennsylvania Mutual Live Stock Insurance Company.

Change of name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Pennsylvania Live Stock insurance company, shall hereafter be known as the Pennsylvania insurance company of Pittsburgh. And by that name, shall have perpetual succession, and shall have power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or damage by fire or any other cause of risk,

to make all kinds of insurance against loss or damage of goods, merchandise, or other property in the course of transportation by land or water, or otherwise, or any vessel, boat, or other water craft, and to cause themselves to be insured against any loss, damage, or risk, in the course of their business, for such term or terms of time, and for such premium or consideration, and with such modifications and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for insurance.

SECTION 2. That said corporation shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded in all courts and places, and in all matters whatsoever, and shall have power to make, order, establish and put in execution, such by-laws, ordinances, rules, and regulations as shall be necessary for the government of said company, and the prudent management of its affairs, and may receive proposals or applications for insurance in writing as a warranty on the part of those insuring, and base policies thereon, and incorporate the same as a part of the contract between the company and the insured, and for the purpose of defining the rights of each contracting party, and suits at law may be prosecuted against said corporation for losses occurring under their policies, if payment is withheld more than four months after due notice and proof thereof. Powers and privileges.

SECTION 3. That the capital stock of said company may be increased to three hundred thousand dollars, whenever the same shall be directed by a vote of the stockholders, to be paid in the manner before provided for, and its affairs shall be conducted by not less than nine nor more than nineteen directors, a majority of whom shall be residents of Allegheny county, and shall constitute a quorum for the transaction of business, and they may make such division of the profits that may have accrued to the said company, to the stockholders, as they may deem expedient. Capital stock.

SECTION 4. That the property insured by said corporation may be divided into two distinct classes, and be insured in two distinct departments, one of which shall be called the mutual department, and the other the stock department, and all persons insuring, may designate in their applications in which of said departments they desire to insure, and receive a policy therein, and whether insured in the mutual or stock department, they shall not be liable beyond all obligations given in payment of premiums or for stock subscribed, neither shall any part of the funds received in either department be applied in payment of losses or expenses accruing in the other, but every member shall be bound to pay for losses and expenses accruing to said company in the department with which he may be associated, in proportion to the amount of stock he holds, or the amount of his deposit note given: *Provided*, That no policy of insurance under the stock department shall be issued until two thousand shares of stock shall have been subscribed to the capital stock of said company, and six dollars on each share be paid thereon in cash. Division of property insured.

SECTION 5. That all persons who shall deposit their obligation or note for insurance with said company in accordance with its requirements, shall be entitled to one vote for every one hundred dollars so insured, at the time of holding elections for the choice of directors, and all members complying with the by- Proviso.

Votes.



laws of the said company, shall be entitled to their equitable proportion of dividends declared by the company in the respective departments to which they may belong.

Report to be published

SECTION 6. That within thirty days after the annual election for choice of directors, it shall be the duty of the secretary of this company to publish in one or more papers in the city of Pittsburgh, a report stating the amount of premiums received, the losses and expenses paid during the year, the amount at risk, and a general balance sheet of the affairs of the company.

Punishment for embezzlement.

SECTION 7. That any officer, director, or agent, who shall knowingly and wilfully defraud the said company, by embezzling any of its funds in his hands or entrusted to his care, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a fine not exceeding twice the sum embezzled, and in default of payment thereof, shall be imprisoned, not exceeding six months, in the county jail, at the discretion of the court having jurisdiction of the offence.

Banking privileges prohibited.

SECTION 8. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 42.

## A FURTHER SUPPLEMENT

To an act to incorporate the Pennsylvania Railroad Company, passed April thirteenth, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in proceedings by the Pennsylvania railroad company for the appropriation of land under any act of Assembly, when it shall appear to the court of common pleas, by affidavit or otherwise, that there is a disputed, doubtful or defective title, or that any party in interest is absent, covert, not of full age, or from any cause incapable of being served with notice, or of having a bond tendered within the county where the land is situated, the said court shall, on application of the said company, direct the filing of a bond in an amount, and with security, to the Commonwealth, to be approved by the court, for the use of the party found to be entitled thereto, and shall direct notice thereof, and of the petition to assess damages, and the meeting of viewers,

to be published in two newspapers of the county where the land is situated, for two weeks before the day appointed for the meeting of the viewers; and the said bond so filed, and the said notice so given, shall have like effect as if the provisions of the twelfth section of the act of Assembly, entitled "An act to incorporate the Pennsylvania railroad company," approved April thirteenth, one thousand eight hundred and forty-six, in regard to giving bond, had been fully complied with, and as if personal notice had been served on the party owning the said lands, as provided for by the fourth section of an act, entitled "A further supplement to an act to incorporate the Pennsylvania railroad company," passed April thirteenth, one thousand eight hundred and forty-six, approved the twenty-seventh day of March, one thousand eight hundred and forty-eight.

SECTION 2. That so much of the eleventh section of the act of Assembly, entitled "An act to incorporate the Pennsylvania railroad company," approved April thirteenth, one thousand eight hundred and forty-six, as prohibits the said company from passing through any dwelling house, shall not be construed so as to prevent the taking in any incorporated city or borough, of any dwelling house by whomsoever possessed or occupied, and the land on which the same is erected, which may be necessary or convenient for depots, warehouses, offices, toll houses, engine and water stations, or other buildings or appurtenances; but the right of the said company to take such property for such purposes, is hereby declared and affirmed: *Provided*, That full compensation be made to the owner or owners of such buildings for all damages sustained thereby, the same to be ascertained as in other cases: *Provided*, That the prices heretofore agreed to be paid by said railroad company, and agreed to be received by the owners of property in the city of Pittsburgh shall not, in any case, be reduced by any decision or decisions of a jury or juries that may be appointed to assess damages: *And provided further*, That the said power of entering upon property, as authorized by this act, shall be limited to that part of the first ward in said city of Pittsburgh, being between Marbury, Water, Liberty and Penn streets.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 43.

## A SUPPLEMENT

To an act, entitled "An Act to revise and continue in force the law graduating lands upon which purchase money is due the Commonwealth; and to extend the time for patenting in-lots and out-lots in the towns of Erie, Waterford, Beaver, Franklin and Warren," passed the ninth day of February, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to which this is a supplement be so amended, that the words "Surveyor General" where they occur in the proviso to the second section, shall read "County Commissioners."*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 44.

## A SUPPLEMENT

To the act entitled "An act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name of the said Schuylkill Haven Mutual Life Insurance company be and the same is hereby changed to that of the Miners' Life Insurance and Trust company, and that the principal office of said company shall be located in the borough of Pottsville, in Schuylkill county.*

Change of name.

To receive monies  
in trust.

SECTION 2. It shall be lawful for said company to receive moneys in trust or other property, from any and every person or persons, copartnership or body politic, upon such terms and in such manner as the said company may determine, and invest its capital stock and the moneys received for premiums on life and health assurances and in trust, in the funded debt of the United States and of the State of Pennsylvania, and in bonds and mortgages secured on real estate, notes of hand, and such



other personal security as it may deem safe and advantageous, and sell or dispose of the same at pleasure, as the president and directors of said company may from time to time deem advisable.

SECTION 3. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper. Not to exercise banking privileges.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

#### No. 45.

### A SUPPLEMENT

To the act incorporating the Pottsville Water Company, approved the eleventh day of April, Anno Domini, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Strange N. Palmer, Charles W. Pitman, Daniel Shartle, Bernard Reily, Ben Pott, Charles Lord, Jacob Huntzinger, junior, William Johns and Jonathan Johnson, or any four of them, are hereby appointed commissioners to do and perform the several matters and things hereinafter mentioned, that is to say: that they shall on or before the first day of March next, procure two or more books, and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Pottsville water company, or the treasurer whom they may appoint, the sum of twenty-five dollars for each and every share set opposite to our names, in such manner and in such proportions, and at such times as shall be determined on by the said president and managers, in pursuance of an act of the General Assembly of this Commonwealth, entitled 'A supplement to the act incorporating the Pottsville water company.'"

Witness our hands this

day of

one thousand eight hundred and fifty-four;"

and shall thereupon give notice in two or more newspapers published in the borough of Pottsville, for the space of ten days' or more, when, and in what places within the boroughs of Pottsville and St. Clair the said books will be opened to receive subscriptions of additional stock to the capital of the said company, at which times and places, one or more of the said commissioners shall attend and shall permit all persons of lawful age, either in their own names, or in the names of others when they appear to be duly authorized to subscribe for any number of shares in the said stock; and shall keep the said books open for three

Commissioners.

Privileges

Provided

successive days, or until eight thousand shares shall have been subscribed, or if the whole number be not subscribed, the president and managers of the said Pottsville water company, may at any time after the first election hereinafter mentioned, open the said books for the subscription of shares, until the whole number aforesaid shall have been subscribed, or so many thereof as the said president and managers shall find necessary to carry into full effect the purposes of this act: *Provided*, That any person offering to subscribe in the said books in his or her name, or in the name of any other person, shall previously pay to the attending commissioner or officers, five dollars for every share to be subscribed, out of which shall be defrayed the expenses of taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the said company as soon as one shall be appointed after the said election.

Ten days notice  
to be given.

SECTION 2. That when three thousand shares or more of said stock shall have been subscribed, the said commissioners or any three of them, shall give at least ten days' notice in two or more newspapers printed in the said borough of Pottsville, of the time and place for the said subscribers to meet, and in conjunction with the present stockholders in the Pottsville Water company, hold an election for managers of the said company, who shall choose from among the said subscribers and stockholders nine managers, six at least of whom shall be residents of the said borough or its immediate vicinity, to conduct the affairs of the said company until the second Monday of January then next ensuing, and in said election each subscriber and stockholder and in all elections afterwards, each stockholder shall be entitled to one vote for each share of stock bona fide held by him or her, and a majority of the votes given shall be sufficient to elect: It shall be the duty of one or more of said commissioners to attend the said first election with the said subscription books, also the president or some of the managers of the said company with their book of stockholders, in order that it may be known who are entitled to vote and for how many shares.

Officers

SECTION 3. The managers thus elected shall appoint one of their number, (who shall reside in the borough of Pottsville,) president, and the board being thus organized, they shall appoint one of the said subscribers or stockholders residing in the borough of Pottsville, and not a member of the board of managers, treasurer; and they shall also procure certificates for the shares of stock now authorized to be subscribed to the capital of the said company, and shall deliver one of such certificates signed by the president with the seal of the company affixed, and countersigned by the treasurer, to each person for all the shares held by him or her, or for such number thereof as he or she may chose to have in one certificate, as soon as five dollars shall have been paid on each share: After which the said subscribers shall have all the rights and privileges conferred by the act to which this is a supplement, on the subscribers to the original stock of said company, and the said shares shall be transferrable in the same manner as the original shares: The said board shall also have all the rights, powers and privileges conferred on the president and managers of said company by the said act to which this is a supplement, and shall in all respects immediately succeed to their duties the same as if the term for which they were elected had expired: *Provided*, That should the aforesaid commissioners refuse to act or fail in pro-

Provided



curing three thousand shares of stock, to be subscribed within fifteen days after they first open said books for receiving subscriptions, or to give notice of said election, all and singular the powers and duties of the said commissioners then remaining unperformed, shall be exercised and performed by the board of managers of said Pottsville Water company, as hereinbefore directed, or the said board may appoint other commissioners to do and perform the same thing.

SECTION 4. That the election for managers of said company shall be held annually thereafter on the second Monday in January, of which the president and managers shall give notice as required by the aforesaid act. Annual election

SECTION 5. The said Pottsville Water company shall have power and are hereby authorized, to bring into the borough of Pottsville a sufficient supply of fresh and pure water from Mill creek or any of its branches, or elsewhere in the county of Schuylkill, by means of pipes or trunks, or in any other way, and to construct reservoirs for the reception thereof, and to connect the same with their pipes now laid in said borough, and lay such other pipes therefrom as they shall deem proper, and for the purposes aforesaid they shall have the power of purchasing, taking and holding to them, their successors and assigns, any such lands, tenements, hereditaments and estate, real and personal, as shall be necessary for the prosecution and erection of all works necessary for the purposes aforesaid, and of entering on and into all such land and enclosures as may be necessary, and to dig ditches or trenches and lay pipes or trunks through the same, and also to divert any of the aforesaid streams of water from their present channels, and to build dams or tanks on or near the same, doing as little damage as possible to private property, and paying for whatever injury may be done by them and for what land they may occupy, in the following manner. Powers.

SECTION 6. The said president and managers shall have the right to enter on and into any lands or enclosures with their engineers, artists, assistants and workmen, to lay out and locate the said dams, tanks, and reservoirs, and the route for the said pipes or trunks; and after the same shall have been laid out and located, to the satisfaction of the said president and managers, they shall give notice to the owners of said lands (if they are known or can be found) on which the same has been so laid out and located, of the location thereof, and of the desire of the company to occupy and use the land and route so marked and laid out; and if the said president and managers, and owners, cannot agree on the amount of damages or compensation therefor, either of them may apply to one of the judges of the court of common pleas of said county of Schuylkill, or to said court when in session, who shall appoint a jury of three disinterested and judicious men to view said land and route, and make report to said court what damage (if any) the owners of said land shall or may sustain by the use and occupancy thereof by the said company, for the construction of their works, or by the diversion of the waters of the aforesaid streams; whose report or award shall be subject to the right of appeal by either party, and when appealed from, shall be tried as other cases in which damages are claimed by the plaintiff; or if no appeal be entered within twenty days from the filing of said award, it shall have the effect of a judgment, and be collected in like manner; and if upon the filing of said award, the said president and mana- Right to enter upon lands



gers shall pay the same, or give adequate security, to the satisfaction of one of the judges of the said court, for the payment thereof, or of such sum as may be finally awarded against them with costs, they shall be allowed and are hereby authorized and empowered to enter on, and in said land and enclosures with the necessary engineers, workmen, teams, tools and implements, and proceed forthwith to the construction and completion of all works necessary to carry into full effect the objects and purposes aforesaid, and of the act to which this is a supplement, and the same to alter, repair or renew whenever and wherever they may deem necessary, without any let or hindrance from the owners of said land: and where the owners of any of the lands on which the said company has located any part of its works as aforesaid are not known, or cannot be found, or if known are not legally capable of entering into an agreement with said company, the said president and managers shall proceed to have the damages ascertained in the manner hereinbefore provided for where the owners are known and capable of acting, and give security as aforesaid, for the amount of damages found or awarded by the jury, or what may be ultimately adjudged against them with costs; after which they shall be allowed to proceed with their works on said land as hereinbefore set forth.

Right to dig  
ditches, &c.

SECTION 7. The said company shall, at all times, have the liberty and privilege to dig ditches or trenches, and to lay pipes or trunks in, across, and along all public roads, highways and streets, and to alter, repair and renew the same as often as they may find necessary, shutting up and amending any breaches they may make as soon as practicable.

Additional powers.

SECTION 8. The said president and managers are hereby authorized to supply, with water, the inhabitants of the boroughs of St. Clair and Port Carbon, and of the towns of Palo Alto and Mount Carbon, for all domestic and manufacturing purposes, and for all stationary and locomotive engines belonging to individuals or companies within the said limits, or within the borough of Pottsville, and all that may be along or near the route of the said company's pipes, and shall have all the rights, powers and privileges as to entering upon land and enclosures, and laying down pipes in streets, roads and highways, and of erecting hydrants or fire plugs within the said boroughs, towns, and limits as is hereinbefore conferred, or is conferred by the act to which this is a supplement, in relation to the borough of Pottsville, and of contracting with the said inhabitants, or any companies, for the use of said water within the limits aforesaid, who shall be liable to the same penalties for taking water from their pipes without contracting for its use, as are contained in said act, and shall be subject to all such rules and regulations respecting the use and waste of said water, as the said president and managers may, from time to time, prescribe and adopt: *Provided*, That before the boroughs of Port Carbon and Saint Clair shall be supplied as aforesaid, the councils of the said boroughs shall respectively enter in an agreement with said company, to guaranty semi-annual dividends of three per cent. on the additional cost of supplying said boroughs with water respectively, if the net income from each shall not be equal to six per cent. per annum on the said additional cost of supplying water to each, under the same provisions as hereinafter contained respecting the guaranty to be given by the borough of Pottsville.

Proviso.

SECTION 9. It shall be the duty of the treasurer of the said company to keep fair and correct accounts of all moneys received and paid out by him, which payments shall be made only on orders drawn on him, signed by the president of the said company; and the said president and managers shall keep a correct account of all orders drawn by them on the treasurer, and for what purpose the money was expended for which said orders were drawn; and it shall be the duty of the said president and treasurer as early as practical after the completion of the works authorized by this act, and the introduction through them of the water from Mill creek, or any of its branches, or elsewhere, into the borough of Pottsville, to make out a correct list of the subscribers to the stock hereby authorized, and the number of shares held by each; and also, an account of the receipts and expenditures up to that time, particularly stating the amount of money expended in bringing in and introducing the water from Mill creek, or elsewhere, as authorized by this act, into the said borough of Pottsville, which shall be verified by the oaths or affirmations of the said president and treasurer, which said amount shall then be examined by the auditors elected to audit the borough accounts, and compared with the vouchers and books of the said president and treasurer; and if the said auditors shall find the said list and account correct, and it shall appear to them that the money has been expended in effecting the objects authorized by this act, they shall certify the same to the town council of the borough of Pottsville, which said account and list shall be accompanied by the best estimate the said president and managers can make of the probable net income applicable to dividends of the said company for the ensuing year; and if it shall appear from said account and estimate that there will not be sufficient net income from the works of the said company to pay semi-annual dividends of three per cent. on the amount of capital paid in on the subscriptions of stock hereby authorized, except such portions thereof as may have been expended in introducing water into the boroughs of Port Carbon and St. Clair, the said council is hereby empowered and required to assess on the last county valuation of all property taxable for borough purposes, a tax sufficient to make up any deficiency that may be in the net income of the said company to pay the said semi-annual dividends, which said tax shall be known as the water tax, and shall be collected in cash, and the account of it shall be kept separate and apart from the account of the general tax for borough purposes; and it shall be the duty of the president and managers of said company, to give notice to the said council at least thirty days before the days for declaring dividends, which shall be the same as in the act to which this is a supplement, (of the amount that will be required of the borough to make up the next ensuing dividend,) which in such case shall not be made payable until fifteen days after it is declared; the town council shall immediately on the receipt of such notice, proceed to collect so much of said tax as will pay the amount required, for which they shall draw an order on their treasurer in favor of the treasurer of said company; and the said president and treasurer shall on the first Monday in January in each year afterwards, furnish to the said town council a fair and correct account, verified by their oaths or affirmations as aforesaid, of the receipts and expenditures of the said company for the preceding year, with an estimate of

Accounts of treasurer.



the probable net income for the ensuing year, and if it shall appear from the account and estimate that there will not be sufficient net income to pay dividends as aforesaid in any year, it shall be the duty of said council to levy a tax as aforesaid and on notice of the amount required to collect, and pay over so much thereof as may be necessary to enable said company to pay half yearly dividends as aforesaid: *Provided*, That should the net annual income of the said company at any time exceed the amount of six per cent. on the capital stock paid in, such excess shall be paid over to the said town council, until the whole amount advanced by the said council as aforesaid to the said company shall have been repaid: *And provided further*, That while the net annual income of the said company shall not be equal to six per cent. on the capital paid in, the said president and managers shall not expend any money for the enlargement of their works, or for any other purpose, except for keeping them in repair and for the superintendence thereof without the consent of the said town council, excepting as herein provided with respect to supplying the boroughs of St. Clair and Port Carbon with water.

Subscription to  
capital stock

SECTION 10. The town council of the borough of Pottsville, on behalf of said borough, the burgess and town council of the borough of Port Carbon, on behalf of said borough, and town council of the borough of St. Clair, on behalf of said borough, and any incorporated company having occasion to use the water that may be supplied by the said Pottsville water company, are hereby authorized to subscribe to the capital stock of said company any number of shares that each of them, respectively, may deem proper, in which event the said boroughs and corporations shall have the right to vote at the elections of the said company, under the same provisions as individual subscribers or stockholders, and are hereby authorized to issue their bonds, payable at such times as they may deem proper, to such an amount as will produce enough of money to pay for the shares of stock they may each subscribe for respectively: *Provided*, That no bond or certificate shall be issued of a less denomination than one hundred dollars.

Stock exempt  
from all taxation.

SECTION 11. The stock in said company shall be exempt from all taxation whatsoever, but when the net annual income from the works of said company, after having repaid the boroughs of Pottsville, Port Carbon, and St. Clair, whatever sums they may have respectively advanced to the said company to pay dividends with, as aforesaid, shall exceed six per cent. on the capital paid in, the said excess shall be taxable for State purposes only, at the same rates as are now imposed on the dividends of banks for said purposes, and the remainder of such excess may either be divided among the stockholders, or be allowed to accumulate as a reserved or contingent fund for extraordinary repairs, or future enlargement of their works, as the said president and managers may deem best.

Punishment for  
injury to works.

SECTION 12. Any person or persons who shall wilfully destroy or injure in any manner, the pipes, aqueducts, dams, tanks, cisterns, reservoirs, hydrants, buildings, or machinery, of the said company, erected in pursuance of this act, or shall wilfully corrupt, or permit anything to run or fall into any stream from which the said company shall take water to be introduced into the borough of Pottsville, which shall tend to corrupt the same, or to render it unpalatable, unwholesome, or unfit for do-



mestic or manufacturing use, or for the supply of stationary or locomotive engines, or shall bathe in any dam or reservoir of said company, or throw, lead, or entice any animal into the same, on being convicted thereof, before any justice of the peace of the county of Schuylkill, on the oath or affirmation of one or more credible witnesses, shall pay a fine of not less than five, nor more than twenty dollars, one half to the use of the said company, and the other half to the informer, and shall, moreover, remain liable to the said company for all damages.

SECTION 13. The owners of the freehold in and upon which the said water is taken and used, shall in all cases be the parties with whom the contract for the use of the water shall be made, and the said real estate shall be bound and liable for the use of the same, reserving to the said president and managers the right to contract with the lessees or tenants on the responsibility of said lessees or tenants alone, if they see fit to do so.

Who to be parties to contracts for water.

SECTION 14. If the said company shall not proceed to carry on said works, within two years after the passage of this act, or shall not complete the same within three years afterwards, so far as to bring within the limits of the borough of Pottsville, a sufficient supply of good water for the inhabitants thereof, all and singular, the rights, liberties, and franchises, hereby granted to the said company, shall revert to this Commonwealth.

Commencement and completion of works.

SECTION 15. The several jurors hereinbefore directed to be appointed, or auditors required to act, shall, before they enter on the duties of their appointments respectively, be sworn or affirmed to discharge the duties of their appointments with impartiality and fidelity, and to the best of their judgments, and shall receive the same compensation as jurors in other cases.

Jurors or auditors to be sworn or affirmed.

SECTION 16. So much of the act to which this is a supplement, as is hereinbefore altered or supplied, is hereby repealed.

Repeal.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 46.

## A FURTHER SUPPLEMENT

To the act relative to the Pennsylvania State Lunatic Hospital, passed the fourteenth day of April, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where any court in this Commonwealth shall commit or have committed any person to the State Lunatic Hospital, under the provisions of the eleventh section of the act to which this is a supplement, where such person has no legal settlement

in any district or township in this Commonwealth, but only a residence therein, the county wherein he or she is found or has been found a lunatic, shall be chargeable with the expense of his or her care and maintenance, and removal to and from said hospital, and the said court shall certify to the trustees of said hospital accordingly.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 47.

## AN ACT

Relative to the several Courts in the tenth judicial district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of May next, the terms of the several courts of common pleas, oyer and terminer, orphan's courts and courts of quarter sessions, shall commence and be holden on the following days in each and every year, to wit: In the county of Armstrong on the second Mondays in the months of March, June, September and December, each term to continue two weeks if necessary, except the September term, which shall continue but one week: In the county of Indiana on the fourth Mondays in the months of March, June, December and September, each term to continue two weeks if necessary except the September term, which shall continue but one week: In the county of Westmoreland on the second Monday preceding the last Mondays in the months of February, May and November, each term to continue two weeks, and on the Monday preceding the last Monday in the month of August, to continue one week if necessary: *Provided,* That the court may dispense with the second week of any of the said terms by an order made at the previous regular term in the proper county.

SECTION 2. That the first Monday of every month in each year, and the first day of each and every term in the several counties composing said district, shall be return days of all original and mesne process issuing from the said courts, except the summons in partition, and such process shall be directed to be returned to either of the said monthly return days which may happen before the next term after the issue thereof, or to the first day of the said next term at the option of the party taking out the same, or in case there shall not be ten days between the

Terms of court.

Proviso

Return days.



issuing thereof and the first day of the next term, the same may be made returnable on the next monthly return day thereafter, and in all suits instituted in said courts where returns of such process are directed to be made to a monthly return day, the party may after such returns file declarations and other pleadings, put causes to issue and have them tried, and do all other matters and things in the prosecution of suits that might be done if the said writs were returned on the first day of any term of said courts, and the stay of execution provided by the act relating to executions, passed the sixteenth day of June, one thousand eight hundred and thirty-six, shall be computed from the return day of the original process.

SECTION 3. That this act shall take effect and be in operation from and after the first day of April, one thousand eight hundred and fifty-four. Act, when to take effect.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 48.

### A N A C T

Repealing an act, passed April fifteenth, one thousand eight hundred and fifty-three, relating to certain road laws in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of April fifteenth, one thousand eight hundred and fifty-three, entitled "An act to incorporate the Green Mountain cemetery of Waynesburg; and to change the road laws in Washington county," shall not be construed to affect any proceedings in relation to roads pending or incomplete at the date of the passage of said act, but that said proceedings shall be carried on and perfected under the laws in force at the time as if said act had not been passed.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 49.

## AN ACT

In relation to spirituous and vinous Liquors in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to prohibit the sale of spirituous, vinous, and malt liquors in Washington county, and to restrain the sale of spirituous liquors in the borough of Elizabeth, in Allegheny county, approved the eighteenth day of February, Anno Domini, one thousand eight hundred and fifty-one, be and the same is hereby repealed, so far as it relates to said county of Washington: Provided, That nothing herein contained shall affect or take away the right of action as respects any pending suits or prosecutions, or the costs recoverable thereupon.*

SECTION 2. That from and after the passage of this act, the said county of Washington shall be subject in all respects to the general laws of this Commonwealth in relation to inns and taverns, and the granting of licenses to sell spirituous and vinous liquors.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 50.

## AN ACT

Relative to the Expenses incurred, by the visit of the Members of the Legislature and Heads of Department of the State of Maryland, at the last session.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Auditor General of this Commonwealth be, and he is hereby authorized to examine the accounts for authorized expenses incurred, by the visit of the Legislature and Heads of Department of*

the state of Maryland, at the last session, and report to the Legislature the several amounts which he may find justly due.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 51.

## AN ACT

Relative to suits in Dower and Partition.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the courts of this Commonwealth now having jurisdiction in matters of partition, shall have power to entertain suits and proceedings, whether at law or in equity or otherwise, for the partition of real estate, or the recovery of dower or the widow's third or other part, although the lands to be divided or recovered may lie in one or more counties of this Commonwealth: *Provided,* That such proceeding intended to embrace lands in more than one county, shall be brought only in the county where a decedent, whose land is to be divided, had his domicil, or where the homestead, or larger part of the estate in value shall be situated, and service of process may be made by any sheriff where real estate, to be divided, shall be situated, or any defendant may be found; and exemplifications of the record may be filed in every county where such real estate shall be situated, in such court thereof as shall correspond in character of that of the court in which such proceeding may have taken place, and be received in evidence, with the like effect, as the records of the court where filed, except that any exemplification of the proceedings in the Supreme Court shall be filed in the district court, or court of common pleas of the proper county.

SECTION 2. All proceedings heretofore duly had and adjudicated, making partition of real estate lying in more counties than one, are hereby confirmed in manner, as if this act had been in force.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 52.

## AN ACT

Relative to the appointment of Notaries Public.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the number of notaries public now authorized by law, it shall be lawful for the Governor to appoint one for any place not having a notary, at which a banking or savings institution is, or may hereafter be established.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 53.

## AN ACT

authorizing Courts of Common Pleas to incorporate Scientific, Agricultural and other Associations.

Extension of powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the several acts of Assembly, conferring on courts of common pleas authority to incorporate literary, charitable, religious or beneficial associations, be and they are hereby extended to associations for the promotion of science or agriculture, to cemetery or burial associations, and to societies for the detection of thieves and the recovery of stolen property.*

Authority to hold real estate.

SECTION 2. That it shall be lawful for any association of citizens authorized to obtain a charter of incorporation from any court to hold real estate in their corporate capacity, not exceeding in the whole the clear yearly value or income of five thousand dollars, and that the proviso to the second section of the act of eighth April, one thousand eight hundred and thirty-three, entitled "A supplement to an act entitled 'An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law,'" be and the same is hereby repealed."



SECTION 3. That it shall be the duty of the court in granting a charter of incorporation for any purpose, to limit the yearly income of such corporation, other than from real estate, to such sum as in the opinion of the court will not be injurious or prejudicial to the community. Limit of yearly income.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

### No. 54.

### A SUPPLEMENT

To an act, entitled "An Act to alter the road laws in the township of Lenox," approved the third day of March, Anno Domini, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any moneys that may be collected by the supervisors of the township of Bridgewater, Susquehanna county, under the third section of said act, be paid by the supervisors into the township treasury, and be paid out by the treasurer on orders drawn by the supervisors for the purposes hereinafter provided for. Monies collected to be paid into township treasury

SECTION 2. That it shall be the duty of the supervisors to open all new roads upon orders presented to them from the court of quarter sessions for that purpose, in the same manner and under the same penalties as are prescribed in the various acts of Assembly existing prior to the passage of said Lenox road law, and for which purpose said acts of Assembly are hereby declared to be in force, and that the expenses for opening said roads shall be paid by them by orders drawn upon the treasurer: *Provided* Supervisors to open new roads. *however,* That where roads are ordered to be opened in any district or districts in which taxes are in the hands of the road master or masters of said districts that have not been worked out, the supervisors may direct said taxes to be applied towards the opening of said road or roads, if in their judgment, said taxes are not required on other roads already opened and in use in said district or districts. Proviso.

SECTION 3. That in all cases where by high water, or by other means, any bridge or bridges shall be damaged or destroyed, or the roads rendered impassable after the taxes have been exhausted in the hands of the road masters, or if such taxes shall be insufficient to make necessary and immediate repairs, it shall be the duty of the supervisors to make such repairs as shall be necessary, and draw orders on the treasurer for the same; and each supervisor shall be entitled to receive one dollar for each and every day necessarily spent by him in the discharge of his duties as herein provided for. Supervisors to make repairs and draw orders on treasurer.

Number of districts not to be limited.

SECTION 4. That the number of districts shall not be limited, but the supervisors shall in their discretion in each year, designate the number of districts and enter the same upon the town records.

Authority to levy a tax.

SECTION 5. That it shall be the duty of the supervisors whenever it shall be necessary for paying orders that have been given by them on the treasurer for the purposes aforesaid, with the approbation of two justices of the peace of the county, to levy a tax upon the township, not exceeding one cent on the dollar, to be collected by them as other taxes are by law collectible.

Repeal.

SECTION 6. That all acts of Assembly heretofore existing, so far as they are inconsistent with this act, or that are supplied and altered by the same, are hereby repealed so far as they apply to said township of Bridgewater.

E. B. CHASE,

*Speaker of the House of Representatives*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 55.

## AN ACT

Appropriating certain moneys to the Rosine Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of three thousand dollars be, and the same is hereby appropriated to the Rosine association of Philadelphia, incorporated eleventh of April, Anno Domini, one thousand eight hundred and forty-eight, for the purpose of purchasing a lot, or erecting or purchasing buildings for the operations of the association: Provided, That this act shall not take effect until an equal amount shall have been subscribed by other responsible contributors to said association.*

SECTION 2. That the councils of the city of Philadelphia, are hereby authorized to appropriate to the said association hereafter, any sum or sums of money, not exceeding three thousand dollars, in any one year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 56.

## AN ACT

To repeal the second and third sections of an act, entitled "An act to authorize the Commissioners of Clarion county to settle the account of Richard Wilson, deceased, for the erection of a bridge over the Clarion river, near the mouth of Little Toby creek, in the county of Clarion, and for other purposes," approved January twenty-seventh, one thousand eight hundred and fifty two, and to repeal the third section of an act for the erection of a bridge across Clarion river, in Clarion county, passed eighteenth March, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second and third sections of an act authorizing the commissioners of Clarion county to settle the account of Richard Wilson, deceased, for building a bridge over the Clarion river, and for other purposes, approved the twenty-seventh day of January, Anno Domini, one thousand eight hundred and fifty-two, is hereby repealed.

SECTION 2. That the third section of an act, entitled "An act for the erection of a bridge across Clarion river in Clarion county," passed the eighteenth day of March, Anno Domini, one thousand eight hundred and forty-eight, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 57.

## AN ACT

Regulating the time of holding the election for officers of the Lackawanna and Susquehanna Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the election of officers to conduct the affairs of the Lackawanna and Susquehanna railroad company, shall be held in the city of Carbondale, on the



second Tuesday of March, annually, and so much of any law as is hereby altered or supplied be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 58.

# AN ACT

For the relief of Samuel Lemon, of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners be, and they are hereby required to examine the claim of Samuel Lemon, for eleven coal cars destroyed on the Allegheny Portage railroad, during the summer of Anno Domini, one thousand eight hundred and fifty-three, and if said commissioners shall find, after such examination, that said coal cars were destroyed from the carelessness, neglect, or inattention of the agents of the Commonwealth employed on said road, they shall report the amount of such loss, together with the statement of the facts, to the Legislature: Provided, That the said report of loss, by said commissioners, shall be sustained by the affidavits of disinterested persons.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 59.

## AN ACT

To incorporate a company to make a Plank Road from Johnstown, Cambria county, to Shade Furnace, in Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Weyand, Louis Statten, Benjamin Kimmel, William Reel, George Specht, Henry Little, Jesse Sleek, Jacob Brubaker, E. Dunham, D. L. Berkey, of S, Peter Berkey, junior, and Abraham Weaver, of Somerset county, and A. Kopeland, C. L. Pershing, H. Yeagley, J. H. Smith, S. Good, H. Krotzer, E. Shaffer, William Sleek, J. H. Horner, and George Conrad, of Cambria county, be and they, or any five of them, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style, and title of the Johnstown and Shade Furnace plank road company, with power to construct a plank or turnpike road, or part plank and part turnpike, from Johnstown borough, in Cambria county, by way of Scelplevel, to Shade Furnace, in Somerset county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved on the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto.

Commissioners.

Style.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of six hundred shares of twenty-five dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders had at a meeting called for that purpose, increase their capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.

Capital stock.  
Proviso.

SECTION 3. That if said company shall not commence the construction of said road in three years, and complete the same within six years from the passage of this act, then this act shall be null and void, except so far as the same may be necessary to wind up and settle the affairs and pay the debts of the company.

Commencement  
and completion of  
road.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 60.

## AN ACT

Providing for the repair of the Olean road in Indiana county.

Duties of super-  
visors

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the supervisors of roads of the several townships in Indiana county through which the State road from Indiana to the New York State line passes, to cause that portion of the said road which has been reviewed by order of the court of general quarter sessions of the peace of Indiana county, to be opened in a substantial manner through the respective townships on or before the first day of January, Anno Domini, one thousand eight hundred and fifty-five, and to make the same convenient and safe for the passage of wagons, carriages and other vehicles, and from and after the said day, the said road shall be and become a toll road as hereinafter provided.

Duties of court of  
general quarter  
sessions of the  
peace.

SECTION 2. That it shall be the duty of the court of general quarter sessions of the peace of Indiana county, at their sessions in December next, and every three years thereafter during the continuance of this act, and at such other times as the provisions of this act may require, to appoint a fit person as superintendent of the Olean State road, who shall give bond in such sum and with such security as the said court may direct, conditioned for the faithful discharge of the duties of said office, who shall hold his said office during the term of three years, unless removed by the said court for neglect of duty or misbehavior in office, upon the petition of not less than fifteen taxpayers of any one of the townships in said county through which the said road passes, which petition shall be supported by the affidavit of one or more of the petitioners, and the said court shall direct due notice of the same to be given to the said superintendent, to afford him an opportunity to defend himself against the complaint of said petitioners.

Superintendent  
to take charge  
and control of  
said road

SECTION 3. That upon the appointment of the said superintendent, he shall take the charge and control of the said road, shall erect toll-gates and toll-houses where necessary, not exceeding three on the said road, shall appoint and remove collectors of toll at his pleasure, and shall fix and alter as he shall see fit, the rates of toll to be paid for wagons, carriages and other vehicles, horses, cattle, sheep and swine passing and travelling along said road in like manner, and not exceeding in amount the tolls now charged on the Indiana and Ebensburg turnpike road, and shall cause handbills of the said rates of toll to be posted in or upon each house where toll shall be demanded, and the like penalties for passing through the said toll gates without payment of toll, shall be demandable and recoverable in like manner as is provided by the act of Assembly incorporating the Indiana and Ebensburg turnpike road company: *And provided,* That no toll shall be chargeable to persons going to or returning from religious worship or funerals, or to volunteers going to or returning from muster.



SECTION 4. That the said superintendent is hereby authorized and required to expend the whole amount of tolls collected under this act, in maintaining and keeping the said road from the borough of Indiana to the line of Jefferson county in good repair, and in paying the incidental expenses upon the same, and he shall be allowed to retain thereout the sum of one dollar and fifty cents per day for his service, for each and every day that he shall be necessarily engaged in the discharge of his said duty.

Superintendent to expend the tolls in keeping said road in repair.

SECTION 5. That the said superintendent shall settle with collectors of toll, and shall keep a fair account of all his receipts and expenditures, which shall be audited by the auditors of Indiana county, at the time and place and in the same manner that the accounts of the treasurer of the county are now audited, and the said accounts so audited, shall be subject to all the provisions now existing as regards appeals and publication in relation to the accounts of county treasurers.

Superintendent to settle with collectors.

SECTION 6. That the court of general quarter sessions of the peace of Indiana county, shall have power and they are hereby authorized to grant reviews of any part of the aforesaid road in Indiana county, upon the petition of the superintendent, which reviews shall be proceeded in, in the manner now existing in regard to public roads, and the passage of this act of Assembly shall not prevent the said court and the grand jury and the county commissioners, from granting and erecting bridges over any of the streams which the said road may cross, but they shall have the same power and authority in relation to the same, as if this act of Assembly had not been passed.

Additional powers of court of quarter sessions

SECTION 7. That unless it shall hereafter be provided otherwise, this act shall continue and be in force until the first day of February, one thousand eight hundred and sixty-four, after which period the said road shall be thrown open and free from toll, and shall thereafter be kept in repair by the supervisors of the several townships as the public roads in the same are now kept open.

Act to continue in force until February 1, 1864.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 61.

## A SUPPLEMENT

To the act, entitled "An Act to incorporate the Columbia Gas Company," et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital of the Columbia gas company may be increased from thirty-seven thousand five hundred dollars, to an amount not exceeding sixty thousand dollars: and it shall and may be lawful for the president and managers of said company, for that purpose, to increase and sell the additional number of nine hundred shares, at twenty-five dollars each; and that the present stockholders shall be entitled to the preference of such increase, in proportion to the amount of stock held by each of them; and that said company may extend their main pipes any place not exceeding five miles from the borough of Columbia.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 62.

## AN ACT

To incorporate the People's Mutual Insurance Company.

Preamble.

WHEREAS, Moses A. Dropsie, Abraham S. Wolf, John L. Lawson, A. H. Raignel, Marcus Cauffman, Warder Morris, Joseph M. Bennett, Robert W. D. Truitt, Charles B. Cooper, William Dulles, James Ray, John M. Coleman, Solomon M. Bunn, Henry N. Hewson, L. J. Leberman, William Claghorn, James Ben-ners, William Brock, Isaac Rhine, Jeremiah Brooks, David Winebrener, Jr., George Strawbridge, Charles C. Mackey, Henry Vollmer, Peter Rovoudt, A. Cummings, Wolf Tandler, Thomas C. Garrett, William G. Mentz, Thomas L. Lawson, John C. Drake, John T. Smith, Robert M. Carlisle, Samuel A. Patton, James Landy, Joseph Coryell, Samuel P. Marks, Samuel R. Brick, Thomas F. Shuster, Louis Grosholtz, and Henry Frick, have associated themselves together for the purpose of making fire, marine, and inland insurances, and transacting the business

connected therewith, and have applied to the Legislature for an act of incorporation for said purpose ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the aforesaid persons, and those who may hereafter become associated with them, shall be known and styled as The People's Mutual Insurance company, and by the same name have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and have a common seal, and the same to break, alter, and renew at pleasure, and also to ordain, establish, and put into execution, such by-laws, ordinances, and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or the laws of the United States, or of this Commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain, to do for the well being of the said corporation and the due management and ordering of the affairs thereof. Style.

SECTION 2. That the capital stock of the People's Mutual Insurance company shall consist of fifty thousand shares of ten dollars each, to be paid for in such instalments as the board of directors of said company may determine, and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment, called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made, on account of the share or shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board. Capital stock.

SECTION 3. That the affairs of said company shall be managed by twenty-four directors, to be chosen annually as is hereafter directed, on the third Tuesday in January, between the hours of ten A. M. and two P. M., from among such stockholders of said company, who shall hold at least twenty shares of stock, and the first annual election shall take place on the first Wednesday in January, one thousand eight hundred and fifty-five, the directors for the time being shall appoint a president, vice president, and secretary, of the company and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation, to take bonds in the name of the corporation from all or any of them with security conditioned for the faithful execution of their several duties, and who shall perform the duties of their respective offices till they shall have been re-elected, removed from office, or their successors shall be chosen; the said directors shall allow the persons so appointed such compensation for their services respectively as they shall deem reasonable, and generally to exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation, as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations, and ordinances of said corporation. In case of death or resignation of any director, the vacancy occasioned thereby, shall be filled by the remaining directors. Affairs, how managed.

SECTION 4. That at all elections for directors, the vote shall be by ballot, each share of stock shall have one vote, and each insured member, for any sum paid as a premium of insurance to Vote to be by ballot.



said company, three months previous to and within the year preceding said election, amounting to twenty-five dollars, one vote, and for every additional twenty-five dollars, paid as aforesaid, one vote. No stockholder or insurer shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name, on the books of the said corporation, for three months previous to said election: *Provided*, That every stockholder at the time of the first election of directors, shall have and enjoy the said privilege of voting as aforesaid, and the first election of directors shall be held at such time and place as the incorporators may direct, and the directors chosen at said election shall hold their offices till the first annual election, as herein provided for, and until new directors shall be chosen.

Provided.

Division of directors into three classes

SECTION 5. That at the first meeting of the directors after the first annual election, the secretary shall take the names of the directors and divide them by lot into three classes; the term of office, of the first class, shall expire at the first annual election thereafter; the term of the second class shall expire at the second annual election thereafter; the term of the third class shall expire at the third annual election thereafter, and at the second annual election, and at every annual election thereafter, the stockholders, and others qualified to vote for directors by this act, shall elect eight directors to hold office for three years; and when a vacancy by death, resignation or otherwise occurs, such vacancy shall be filled at the next annual election of directors, for the unexpired term of such director or directors.

Powers

SECTION 6. That the People's Mutual Insurance company shall be empowered to take risks against fire on all kinds of merchandise, buildings and other property, either limited or perpetual; and further, to effect marine and inland insurance on vessels, cargoes and freights, and on merchandise and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and to execute such agreements, policies, and other instruments as shall or may be necessary to effect the same; and it may and shall be lawful for any and every person to insure marine, fire, and inland transportation risks with the said company, and to become members of the said corporation, and be entitled to a pro rata share of any profits which may be made by such insurance, to be declared and divided as hereinafter directed by the provisions of this act.

Employment and investment of capital

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock, and other moneys of said company, in bonds and mortgages, or real estate in respondentia, bottomry, ground rents, stocks, or loans of the United States and State of Pennsylvania, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing, or holding any real or personal property, stocks, or other securities, in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign, and convey the same in fee simple or otherwise.

Not to exercise banking privileges

SECTION 8. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper, to be circulated as bank paper.

SECTION 9. That the directors shall, on the first Tuesday in January in each and every year, cause a balance to be struck of the debts and credits of the company, and if there shall be a surplus, after paying losses and expenses for the year preceding the same, they shall first set aside out of the said surplus, a sum not exceeding one dollar per share on the amount of the capital stock subscribed, and the remainder of the said surplus shall be divided among the stockholders and insured members, in proportion as their respective amounts of stock held, or premiums determined, may bear to the collective sum of stock and premiums aforesaid. Debts and credits.

SECTION 10. That within thirty days after the yearly balance aforesaid of the said company shall be struck, the directors shall cause to be paid to the stockholders in cash, a sum not exceeding one dollar per share on the capital stock subscribed, if their surplus amounts to so much, and for the remainder, they shall issue the company's certificate to such insured members and stockholders, agreeably to the provisions of the seventeenth section, stating the amount of such surplus which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend not exceeding six per centum, to be paid out of the profits thereafter declared by the company. Dividends.

SECTION 11. That the profits of said company shall in no case be withdrawn, except as herein provided, but shall remain liable to all losses and expenses thereof, such liability to be expressed in face of said certificates; and the president and directors shall have, in case of loss, the power to declare a pro rata deduction of the amount of the outstanding certificates, and issue new ones in their stead less the pro rata deduction; and no dividend shall be declared nor certificate issued, nor interest paid, either to stockholders or certificate holders, when the capital stock shall be impaired, nor shall any dividend be paid on certificates of surplus profits, until the said dividend on the stock of the company be first provided for. Profits not to be withdrawn.

SECTION 12. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars, but all such fractional parts or sum or sums less than ten dollars, shall be passed to the credit of the stockholders; the said certificates shall not be transferrable, except on the books of the company, and a transfer book shall be kept for that purpose; no certificate shall issue to any person who is indebted to said company, and no transfer shall be permitted, so long as the holder is indebted to said company; certificates shall be subject to, and bound by, any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under an execution issued on said judgment, as any other species of personal chattel; no certificate shall issue, unless claimed within two years after the declaration of the dividend, whereof it is evidence, but the amount thereof shall, at the expiration of that time, be carried to the credit of the said company's stockholders. Certificates.

SECTION 13. That every insured member or certificate holder having paid the amount of his or their respective premiums, premium notes, subscription notes, or debts due said company, shall be free from any liability or responsibility for, or on account of any and all losses and expenses which said corporation may at any time sustain or incur. Members, when released from liability.



Receive notes and  
other securities.

SECTION 14. That the said company may from time, receive notes or other securities, real or personal, as premiums from persons intending to effect insurance therewith; and also, for the payment of stock, and from any other person or persons under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred, or conveyed by the said company, for the purposes of paying claims for losses accruing in the course of its business; and on such portion of said notes or securities as may exceed the amount of premiums paid, or agreed to be paid by the parties from whom the same may have been received, the said company may allow and pay such interest or other compensation, not exceeding six per centum per annum, as may be agreed upon by the directors.

Perpetual, permanent or limited  
insurances.

SECTION 15. That perpetual or permanent, or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company.

Suits at law.

SECTION 16. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses; and no member of the corporation not being in his individual capacity a party to such a suit, shall be incompetent as a witness.

Excess, how applied.

SECTION 17. That when the net profit, or surplus remaining in the possession of the company, shall exceed the sum of two hundred thousand dollars, the excess may be applied to the redemption of the certificates issued by the company, in such manner and at such times as the directors thereof may deem proper and expedient, and all claim or right to any interest or dividend on said certificates shall cease after two weeks' notice published in two of the daily papers of the city of Philadelphia, that the company will redeem the same.

Reservation.  
Proviso.

SECTION 18. That the Legislature may at any time alter, amend, or repeal the privileges hereby granted: *Provided*, No injustice is done to the corporators.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 63.

## A SUPPLEMENT

To an act to incorporate the Associated Fireman's Insurance Company of the city of Pittsburgh, approved the twenty-sixth day of April, Anno Domini, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act incorporating the Associated Fireman's insurance company of the city of Pittsburgh, as requires seven of the directors of said company to be delegates duly elected to the Firemen's association of Pittsburgh, be and the same is hereby repealed, and hereafter not more than three of said directors shall be required to be delegates to said Firemen's association.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 64.

## AN ACT

Regulating the Tolls of the Wellsboro' and Tioga Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall and may be law- Tolls.* ful for the Wellsboro' and Tioga Plank Road company to collect and receive of and from all and every person or persons using said road, the tolls and rate hereinafter mentioned, in the place and stead of those mentioned in the thirteenth section of the the act of Assembly entitled, an act "Regulating Turnpike and Plank Road companies," approved the twenty-sixth day of January, eighteen hundred and forty-nine, subject to all the provisions and restrictions of said act to which this is a supplement, not inconsistent with this act: That is to say, for every mile in length of said road the following sums of money, and so in proportion for any lesser distance, or for any greater or lesser number of sheep, hogs or cattle, to wit: For every score

of hogs or sheep, one cent ; for every score of cattle, two cents ; for every horse and his rider, or led horse, half a cent ; for every sulky, chair or chaise, with one horse and two wheels, one and a half cents ; same with two horses, two cents ; for every chariot, coach, phaeton, dearborn, buggy or pedler wagon, with one horse and four wheels, or sleigh with one horse, two cents ; for every coach, phaeton, chair, buggy or pedler wagon, with two horses and four wheels, or pleasure or pedler sleigh, with two horses, two and a half cents ; for either of the carriages last mentioned with four horses, four cents ; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same ; for every stage, wagon or sleigh with two horses, two and a half cents ; for each additional horse, one cent ; for each cart, wagon, or lumber sleigh or sled, for each horse, mule or ox drawing the same, one cent.

When additional  
tolls may be  
charged.

SECTION 2. That when more than two thousand feet of white pine lumber, or other loading of a greater weight than forty-five hundred pounds is carried at one load, double toll may be charged for the vehicle and team drawing the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 65.

## AN ACT

For the relief of Catharine Hahn, the widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the State Treasurer be, and he is hereby authorized and required to pay to Catharine Hahn of Berks county, the widow of an old soldier of the revolutionary war, a gratuity of forty dollars.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 66.

## A FURTHER SUPPLEMENT

To an act incorporating the Canton and Athens Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canton and Athens railroad company is hereby authorized to construct, finish, and equip a railroad, from a point on the line of the North Pennsylvania railroad, at or near the borough of Towanda, in Bradford county, to any point on the north line of the State east of the valley of the Susquehanna river, and within the counties of Bradford and Susquehanna, and to connect with any railroad leading to Owego or Binghamton, in the State of New York, and to run its locomotives, cars and trains over the same, with the consent of the owners thereof.

SECTION 2. That whenever the road authorized by the foregoing section shall be completed, the said company may use, occupy, and enjoy the same as fully and in the same manner as if the railroad heretofore authorized to be made by said company were completed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 67.

## AN ACT

To authorize the Canal Commissioners to examine the claim of Andrew Getty for damages sustained on the Columbia and Philadelphia railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be, and they are hereby authorized and directed to examine the claim of Andrew Getty, of Indiana county, for damages sustained by him in consequence of the destruction of a section boat and goods on the Columbia and Philadelphia railroad: and if the said commissioners shall find, on such examination, that the damage to said boat and goods was



in consequence of the negligence or misconduct of the officers or agents of the Commonwealth, they shall assess the amount of damages, and report the same, with a statement of the facts, to the Legislature: *Provided*, That no allowance shall be made except for the actual injury sustained, which shall be established by affidavit.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 68.

## AN ACT

Changing the place of holding Elections in certain townships in Indiana and Luzerne counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the general, special, and township elections in the township of Burrell, county of Indiana, shall hereafter be held at the school house number two, in said township, and that William Laughrey shall be the judge, and Thomas Adams and Thomas Campbell, Sr., shall be the inspectors, for the first election held under this act, and the township elections in said township, shall be held on the same day that they are held in other townships in said county.*

SECTION 2. That hereafter the general, special, and township elections in the township of Lake, county of Luzerne, shall be held at the house of George H. Brunson, in said township.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 69.

## AN ACT

Relating to certain Elections and Election Districts.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections for the township of West Manheim, in the county of York, be hereafter held at the house now occupied by Abraham M. Hershey, in said township. West Manheim township, York county.
- SECTION 2. That hereafter the qualified voters of Allegheny township, Cambria county, shall hold their general and special elections at school house number nine, in said township. Allegheny township, Cambria county.
- SECTION 3. That hereafter the general, township, and special elections in Chartiers township, Allegheny county, shall be held at the house of William Obey, on the Pittsburgh and Steubenville turnpike, in said township. Chartiers township, Allegheny county.
- SECTION 4. That from and after the passage of this act, the qualified electors of the township of Middle Smithfield, in the county of Monroe, shall annually elect two persons as supervisors of said township, who shall discharge all the duties of said office, and all laws inconsistent with the provisions of this section, be and the same are hereby repealed. Middle Smithfield township, Monroe county.
- SECTION 5. That hereafter the qualified voters of the township of Green, in the county of Pike, shall hold their general election at the house of Charles Wolf, in said township. Green township, Pike county.
- SECTION 6. That the qualified voters of Londonderry township, Dauphin county, shall hereafter hold their general, special, and township elections at the public house of Joseph Keiper, in said township. Londonderry township, Dauphin county.
- SECTION 7. That hereafter the qualified voters of East ward, in the borough of Pottstown, Montgomery county, shall hold their elections at the house of Solomon P. Engle, in said ward. East ward, Borough of Pottstown.
- SECTION 8. That hereafter the qualified voters of Franklin township, Union county, shall hold their general, special, and township elections at the public house of Jacob Fryer, in said township. Franklin township, Union county.
- SECTION 9. That the thirteenth section of the act of twenty-ninth of April, Anno Domini, one thousand eight hundred and fifty-two, entitled "An act to incorporate the North Philadelphia plank road company," &c., which erects a certain election district in Luzerne county, to be called the Shickshinny election district, be and the same is hereby repealed. Repeal.
- SECTION 10. That the general, special, and township elections in the township of Franklin, in Lycoming county, shall be held at the house of Brittan Magargless, in the town of Lairdsville. Franklin township, Lycoming county.
- SECTION 11. That from and after the passage of this act, the general, special, and township elections for the township of Pike township, Bradford county.

Pike, in the county of Bradford, shall be held at the house of Dennis Johnson, in said township of Pike.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 70.

### AN ACT

To authorize the Sharpsburg Bridge Company to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Sharpsburg bridge company be, and they are hereby authorized to borrow any sum of money not exceeding thirty thousand dollars, for the purpose of completing and finishing their bridge across the Allegheny river, and to issue their bonds, with a mortgage upon their property, for the payment of the same: Provided, That no bond shall be issued for any sum less than one hundred dollars.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 71.

### AN ACT

To authorize the Canal Commissioners to examine the claim of John Marshall, for damages sustained on the Columbia and Philadelphia railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the Canal Commissioners be, and they are hereby authorized*



and directed to examine the claim of John Marshall, of the county of Indiana, for damages alleged to have been sustained by him in consequence of the destruction of a section boat and goods on the Columbia and Philadelphia railroad, and if they shall ascertain that the accident was occasioned by any defect of the railroad or trucks, or by the misconduct of any officer or agent of the Commonwealth, they shall assess the amount of the damages sustained, and report the same to the present Legislature, together with a statement of the facts: *Provided*, That no damages shall be allowed, except for the actual injury to the boat and cargo, and no item of damage shall be allowed unless the amount of the actual loss sustained, deducting the value of the wreck and damaged goods, shall be clearly established by affidavit.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 72.

## AN ACT

To incorporate the Barree Station and Alexandria Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That S. Miles Green, John Gemmill, Henry C. Walker, James M'Elroy, Robert Graffius, James Yocum, Jacob Hoffman, William D. Shaw and Samuel Spyker, or any five of them be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Barree Station and Alexandria plank road company," to locate and construct a plank road from the Barree station, in the township of Porter, in the county of Huntingdon, and to intersect with the Huntingdon and Blairsville turnpike road at Gemmill's mills, at or near the borough of Alexandria in said township, and county aforesaid, subject to all the provisions and restrictions regulating plank road companies, approved the twenty-sixth January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with this and the following sections in this act.

SECTION 2. That the capital stock of said company shall consist of two hundred shares of twenty-five dollars per share: *Provided*, That said company may, from time to time, at a meet-

ing of the stockholders called for that purpose, increase the capital stock to such an amount as, in their opinion, may be required to complete the same, according to the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within six years thereafter, this act shall become null and void, except so far as to wind up the affairs of said company, and pay the debts of the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 73.

## AN ACT

To legitimate James Crow, of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James Crow, an illegitimate son of James Crow, of Lancaster county, State of Pennsylvania, shall have and enjoy all the rights, privileges, benefits, and advantages of a child born in lawful wedlock, and shall be able and capable in law, to inherit and transmit any estate whatsoever, as fully and effectually to all intents and purposes, as if he had been born in lawful wedlock.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—This twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 74.

## AN ACT

To authorize the recording of a certain Deed made by William Gardiner Morris to Isabella P. Morris.

WHEREAS, William Gardiner Morris, Doctor of medicine, a citizen of the State of Pennsylvania, now residing at Almoid, in the Bengal Presidency in the East Indies, did, on the twentieth day of September, Anno Domini, one thousand eight hundred and fifty-three, execute and deliver a certain deed for his interest in the farm called Bolton Farm, situate in Bucks county, Pennsylvania, to his sister Isabella P. Morris, and did acknowledge the same before Henry Ramsey, magistrate, of Kumarn, in the East Indies:

*And whereas,* In consequence of the want of authority in the said Henry Ramsey to take the said acknowledgment, the said deed cannot be recorded; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said deed from the said William Gardiner Morris to the said Isabella P. Morris, dated the twentieth day of September, Anno Domini, one thousand eight hundred and fifty-three, and authenticated and acknowledged as aforesaid, may and shall be admitted to record in the office for recording deeds, et cetera, in Bucks county aforesaid, and that the effect of the said record shall be the same as if the said deed had been duly acknowledged by the said William Gardiner Morris before a justice of the peace of the said county of Bucks, and had been there duly recorded.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 75.

## AN ACT

For the establishment of a Law School at Easton, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be, and hereby is erected and established, at or near the

Law school established.



borough of Easton, in the county of Northampton, in this Commonwealth, a Law School, for the education of young men in the various branches of jurisprudence, and in the departments of learning auxiliary thereto, the name, style, and title of which school, and the constitution thereof, shall be and are as follows:

*Style.* SECTION 2. That the law school shall be forever hereafter called, and known by the name of The Union Law School.

*Board of trustees.* SECTION 3. That the said school shall be under the direction and government of a board of trustees, not exceeding eleven, four of whom duly convened, shall be a quorum, and competent to perform the duties hereinafter authorized and required to be performed by the said trustees.

*Trustees.* SECTION 4. That the trustees of the said law school shall consist of the following persons, to wit: Matthew Hale Jones, Henry D. Maxwell, Washington M'Cartney, John D. Stiles, Henry Green, James R. Struthers, Philip Johnson, Anthony M'Coy, Edward F. Stewart, Peter S. Michler, and Edward J. Fox, which said trustees and their successors to be elected as hereinafter mentioned, shall be forever hereafter, and they are hereby erected, established, and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation in deed and in law, to all intents and purposes whatsoever, by the name, style, and title of The Union Law School, by which name and title the said trustees and their successors shall be able and capable at law, and in equity, to take to themselves and their successors, for the use of the said school, any estate in any messuage, lands, tenements, hereditaments, goods, chattels, moneys, or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest of any person or persons whatsoever: *Provided*, The same do not exceed in the whole yearly value of fifteen thousand dollars, and the same messuages, lands, tenements, hereditaments, and estates real and personal, to grant, bargain, sell, convey, assign, demise, and to farm, let, and place out on interest, or otherwise dispose of, or invest for the use of the said law school, in such manner as to them shall seem most beneficial to the institution, and to receive the rents, issues, profits, income, and other interests of the same, and to apply the same to the proper use of the said law school, and by the same name to sue, commence, prosecute and defend, plead and be impleaded in any court of law or equity, and in all manner of suits and actions whatsoever, and generally by and in the same name, to do and transact all and every business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and efficaciously as any natural person or body politic or corporate have power to manage their own concerns, and to hold, enjoy, and exercise all such powers, authorities, and jurisdictions as are customary in other incorporated institutions of learning within this Commonwealth.

*Common seal.* SECTION 5. That the said trustees shall cause to be made for their use, one common seal, with such devices and inscriptions thereon as they shall think proper, and by and with which all deeds, diplomas, certificates and acts of the said corporation shall pass and be authenticated, and the same seal at their pleasure, to break and alter and devise a new one.

*Powers.* SECTION 6. That the said trustees and their successors shall have power and authority to appoint professors and teachers, to make rules, by-laws, and ordinances, and to do everything needful

for the support and good government of the said law school, and the managing of the funds and revenues thereof: *Provided*, Provido. That the said rules, laws, and ordinances, or any of them be not repugnant to the laws and constitution of the United States, or of this Commonwealth, or to this act.

SECTION 7. That the professors of the said law school shall Degrees. have power to grant and confirm in concurrence with the trustees, such degrees in jurisprudence, or such branches thereof, to such students of the said school, or others as are usually granted in other law schools, or as the said trustees may by their rules and by-laws determine, and to grant such diplomas or certificates under their common seal as may authenticate and perpetuate the memory of such graduation.

SECTION 8. That the said board of trustees shall have full Vacancies. power to fill, by appointment, any vacancy or vacancies which may occur in their own body by death, resignation, refusal to serve, or otherwise, and may, as often as they see proper, and according to rules by them to be prescribed, choose such officers and agents as shall, by said trustees, be determined necessary, to continue in office for such time, and to be succeeded by others in such way and manner as the said trustees shall direct.

SECTION 9. That no misnomer of the said corporation shall Misnomer. defeat or annul any gift, grant, devise, or bequest, to or from the said corporation.

SECTION 10. That the Legislature reserves the right to revoke, Reservations alter, or annul the charter hereby granted, at any time they may think proper.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 76.

## A FURTHER SUPPLEMENT

To an act, entitled "An act authorizing the Governor to incorporate the Millers' Run and Cross Creek Valley plank road company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Millers' Run and Cross Creek Valley plank Extension. road company, passed April fourteenth, Anno Domini, one thousand eight hundred and fifty-one, be and is hereby extended to June, Anno Domini, one thousand eight hundred and fifty-six.



Subscription au-  
thorized.

SECTION 2. That the commissioners for the erection of a house for the employment of the poor in Allegheny county, or any future board of directors elected for the government of the same, be and hereby are authorized to subscribe for so many shares of the capital stock of said company as they may believe the farm, occupied by said poor house, is benefitted by the construction of said road: *Provided*, That the number of shares so subscribed shall not exceed twenty.

Proviso.

Subject to provis-  
ions of certain act

SECTION 3. That this corporation shall be subject to the provisions regulating toll, of the general laws governing turnpike, bridge and plank road companies in this Commonwealth.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 77.

## AN ACT

To incorporate the Ebensburg and Half-way House Plank Road Company, in the county of Cambria.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That D. J. Jones, George Murray, junior, Thomas Griffith, Samuel Tibbott, Ezekiel Hughes, William Davis, Festus Tibbott, George J. Rodgers, Elisha Plummer, John Oster, Robert W. Roberts, Caspar Dimond, James Myers, and Joseph Lecky, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style, and title of the Ebensburg and Half-way House turnpike or plank road company, with power to construct a turnpike or plank road from Ebensburg, in the county of Cambria, to the Half-way House, in Summerhill township, in the county aforesaid, by the nearest and best route or routes, as the stockholders or directors may determine upon, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Style.

Subject to provis-  
ions of certain act.

Capital stock.

Proviso.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares, at twenty dollars per share: *Provided*, That the said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road and carry out the true intent of this act.



SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act aforesaid, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine. Gates and tolls.

SECTION 4. That if the said company shall not commence the construction of said road within three years after the passage of this act, and complete the same within seven years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company. Commencement and completion of road.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 78.

## AN ACT

To legitimate Elizabeth Pennel.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Elizabeth Pennel, wife of James Pennel and daughter of Mary Shoff, of Martie township, Lancaster county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever from her said mother, as fully and effectually as if she had been born in lawful wedlock.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 79.

## A N A C T

Relating to the Erie Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* a quorum of the board of directors, authorized to be elected by the stockholders of the Erie gas company, by the act passed the fifth day of March, Anno Domini, one thousand eight hundred and fifty-two, entitled "An act to incorporate the Erie gas company," and the nineteenth section of the act passed the fifteenth day of April, Anno Domini, one thousand eight hundred and fifty-two, entitled "An act *inter alia* relative to the Erie gas company," shall be three instead of five, as authorized by said acts of Assembly.

E. B. CHASE.

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty four.

WM. BIGLER.

No. 80.

## A N A C T

In relation to Taxes in the townships of Donegal and Cook, in Westmoreland county

WHEREAS, William Getterny was duly elected assessor of Donegal township, Westmoreland county, for the year one thousand eight hundred and fifty-four, and in pursuance thereof, assessed the taxes of said township according to law:

*And whereas,* After the election of the said William Getterny, as aforesaid, the said township was divided by the court of said county, and the parts stricken off called Cook township, in which the said William Getterny resided at the time of making the assessment; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the taxes assessed by the said William Getterny for the townships of Donegal and Cook, in said county of Westmoreland, for State and county purposes, for the year eighteen hundred and fifty-four be and the same are hereby declared to be legal

and valid, and the collector or collectors are hereby authorized and empowered as fully and effectually to collect said taxes, as if the same had been regularly and legally assessed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 81.

## AN ACT

Authorizing the Collection of Costs of Paving of Federal street, Allegheny City.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of Allegheny be and they are hereby authorized and empowered, by ordinance, to appoint by ballot, in joint meeting to be held within sixty days after the passage of this act, three members of council, one from the select and two from the common, as city appraisers, whose duty it shall be, after having been duly sworn, to value and appraise the paving, and preparing to pave, of all that portion of Federal street from the north end of the old Allegheny bridge to the south side of the north common, the cost of which has been paid by said city; the appraisal and valuation made by the said appointed city appraisers shall be final and without appeal, and the amount of said paving, and preparing to pave, be assessed and collected in accordance with existing act of Assembly in relation to paving, and preparing to pave, in the city of Allegheny, passed March thirtieth, Anno Domini, one thousand eight hundred and fifty-two.

SECTION 2. That the money arising from and under the first section of this act, shall be applied to the sinking fund created by ordinance, passed by the councils of Allegheny July seventh, Anno Domini, one thousand eight hundred and fifty-three, entitled "An ordinance for the purpose of creating a sinking fund for the redemption of city bonds, but to no other purpose whatsoever."

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 82.

## A FURTHER SUPPLEMENT

To the act entitled "An act to incorporate the subscribers to the Insurance Company of North America."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Insurance Company of North America be and they are hereby authorized and empowered to appoint agents or officers to effect insurances in any of the other States of the Union, or without its limits, and that contracts of insurance effected by such agents or officers, shall be as valid and binding as if the same were effected by the president and directors aforesaid in the State of Pennsylvania, and the said Insurance Company of North America shall have all the other powers and privileges conferred on or exercised by the Union, Mutual and Delaware Mutual Safety Insurance Companies of Philadelphia.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 83.

## A FURTHER SUPPLEMENT

To the act incorporating the West Chester and Philadelphia Railroad Company.

Additional shares  
of stock author-  
ized

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the president and managers of the West Chester and Philadelphia Railroad company, by the advice and consent of a majority in value of the stockholders thereof, in person or by proxy assembled at any meeting to be convened for the purpose by said president and managers, after fifteen days notice thereof in at least one newspaper printed in the county of Chester; in one newspaper printed in the county of Delaware, and in one newspaper printed in the city of Philadelphia, setting forth fully the objects of such meeting, to create and dispose of six thousand shares of stock of said company, over and above the amount now authorized by law, at a rate of interest not exceeding eight per cent. per annum, payable semi-annually, and redeemable by the said company at any time after five years from the first day of July next, for the purpose of

completing and equipping their road, and to sell or dispose of said stock or any part thereof at such rate as the president and managers may from time to time establish, which stock so issued and sold shall be deemed and taken as preferred stock, and entitled to be paid at the said rate out of the profits of the said road for the current year after completion, as shall be sufficient for the purpose, before any dividend shall be paid on the other stock of said company: *Provided*, That no dividend or profits shall be declared or made until all current expenses, repairs and interest on the company's debts shall be first paid, or provided for from the receipts of the company's business: *And provided further*, That the said president and managers shall receive and demand the moneys for shares so issued and described, in like manner and under the penalties and conditions as are provided in their act of incorporation and supplements for original subscriptions of stock, or as may be hereafter provided for by the by-laws: *Provided*, That no shares so disposed of shall in any case be sold at a less price than the par value thereof.

Proviso.

Proviso.

Proviso.

SECTION 2. That the president and managers of the said company shall have the authority to pay to the preferred shareholders entitled to receive the same, at any rate of interest not exceeding eight per cent, in annual or semi-annual payments at the discretion of the said president and managers, on all instalments paid or to be paid upon the preferred shares of stock of said company, and said interest shall be charged to the cost of construction, and shall continue to pay the same until said road shall be completed: *Provided*, That no preferred stockholder who has neglected or shall neglect to pay the instalments on his stock as called for by the president and managers, shall be entitled to receive interest under the provisions of this section, until the said instalments shall have been fully paid.

Rate of interest to be paid to stockholders.

Proviso.

SECTION 3. In lieu of the preferred stock hereinbefore authorized to be issued, it shall be lawful for said West Chester and Philadelphia railroad company and they are hereby authorized to issue bonds of the company to an amount not exceeding three hundred thousand dollars, payable at such time and bearing such rate of interest as may be determined and agreed on by the stockholders, at the meeting hereinbefore provided for, and to sell and dispose of said bonds for such price as the president and managers of said company can best obtain for same, and to secure the payment of said bonds by a mortgage of their road and its appurtenances, and of all their estate rights and franchises: *Provided*, That no bond issued by virtue of this act shall be of a less denomination than one hundred dollars.

Bonds authorized to be issued.

Proviso.

SECTION 4. That each share of stock shall entitle the holder thereof to one vote at all elections of officers and other stock votes of the company: *Provided*, That no stockholder shall be entitled to vote upon any stock which may not have been held by him or her, and stood in his or her name on the books of the company for more than thirty days prior to such vote.

Votes.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 84.

## AN ACT

To authorize the Canal Commissioners to sell certain Real Estate in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized, should they deem it expedient, to sell and convey to the North Pennsylvania railroad company the whole, or any portion of a certain lot or piece of ground belonging to the State, situate on the eastern side of the North Branch of the Susquehanna river north of Towanda dam, in the county of Bradford, for a fair compensation, to be paid into the State Treasury; and thereafter the title to the said land shall be vested in the said railroad company, for such use and purposes as are authorized by the act, entitled "An act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 85

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Columbia and Chesnut Hill Turnpike Road Company, and relative to the School District of the City of Carbondale."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Columbia and Chesnut Hill turnpike road company to demand and collect for any travel or hauling through their gates, on their road, the same amount of



toll that the Columbia and Marietta turnpike road company are authorized to collect on their road.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 86.

AN ACT

To authorize the School Directors of the borough of Carlisle, to Borrow Money for certain purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of school directors of the borough of Carlisle, be authorized to borrow a sum of money sufficient to build the necessary school houses in said borough, and to execute judgments or mortgages on the real estate owned by said school district for the sum or sums borrowed: Provided, That the whole indebtedness of said school district shall, at no time, exceed six thousand dollars: Provided, That no bond shall be issued for a less sum than one hundred dollars.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 87.

## A N A C T

To annul the marriage contract between Aaron Druckenmiller and Diana Druckenmiller.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Aaron Druckenmiller and Diana Druckenmiller, both of the county of Lehigh, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from the duties and obligations arising therefrom, as fully, effectually and absolutely, as if they never had been joined in marriage.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 88.

## A N A C T

Relating to Hawking and Peddling Goods and Wares in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of any act heretofore passed as prohibits persons, resident in Mercer county, from hawking and peddling goods and wares of their own manufacture in said county, be and the same is hereby repealed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 89.

## AN ACT

Authorizing the School Directors of Tremont township, Schuylkill county, to sell certain real estate, to borrow money, and to levy an additional tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Tremont township, in the county of Schuylkill, be and they are hereby authorized to sell and convey one or both of two certain lots of ground, with the buildings thereon erected, now held and used by the said directors for school purposes, situate in the town of Tremont, and apply the proceeds of sale to the purchase of other ground, and the erection of a school house in said district.

SECTION 2. That the said directors be and they are hereby authorized to borrow a sum or sums of money not exceeding three thousand dollars, to be applied to the building and furnishing of a school house in said town of Tremont: *Provided,* That no bonds shall be issued of a less denomination than one hundred dollars.

SECTION 3. That the said school directors are hereby authorized and required to levy such tax, in addition to that authorized by the thirty-fourth section of the act of seventh of April, Anno Domini, one thousand eight hundred and forty-nine, as will enable them, annually, to set apart such sum or sums as will be necessary and sufficient for the re-payment of the sum or sums borrowed, with the interest thereon, within twenty years.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 90.

## AN ACT

To prohibit Municipal Subscriptions by the county of Northumberland, or by the boroughs and townships thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not hereafter be lawful for the commissioners of Nor-



thumberland county, or the corporate authorities of any borough or township therein, to subscribe or take any shares of stock in any railroad or other incorporated company whatever, any act heretofore enacted authorizing the same to the contrary notwithstanding.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 91.

### AN ACT

Authorizing the Canal Commissioners to examine the claims of the Pennsylvania and Ohio Transportation company, for damages sustained by them on the Allegheny Portage railroad by the destruction of their cars, and the loss and damage of goods and merchandize.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Canal Commissioners be and they are hereby authorized and required to examine the claims of Thomas S. Clark, William Thaw, Joseph S. Lewis, Jeremiah Butler, William J. M'Clay and David Watson, trading and doing business under the name and style of the Pennsylvania and Ohio Transportation company, for damages alleged to have been sustained by them by the destruction of six cars at plane number eight, on the Allegheny Portage railroad, on the twenty-fourth day of October, Anno Domini, one thousand eight hundred and fifty-three, and for the loss and damage of goods and merchandise with which the same were laden, and also to examine the claim of said transportation company, for damages sustained by them by the destruction of three cars at plane number ten on said road, on the second day of November, Anno Domini, one thousand eight hundred and fifty three, and if they shall ascertain that said damages or any portion thereof was occasioned by neglect, inattention or misconduct of any State officer or agent, or any defect in the machinery of the road, they shall assess the same and report the amount to the Legislature, with a statement of the facts: *Provided*, That no damages shall be allowed, except for the actual injury done to the cars and merchandise contained therein, and no item of damage shall be allowed, unless the amount of the actual loss, deducting the value of the damaged cars and merchandise, shall be clearly established by affidavit.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 92.

## AN ACT

Relating to the entering of Judgments in Montgomery and Philadelphia counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all judgments hereafter entered in the prothonotary's office of the court of common pleas of Montgomery and Philadelphia counties, on bonds, notes, warrants of attorney, or other instruments of writing in which judgment is confessed, or containing a warrant to confess judgment, and all amicable *scire facias* and agreements to revive judgments, may at once be entered in the judgment docket, and need not be entered in any other docket: *Provided, That* an index of the judgment docket shall be kept as required by existing laws.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 93.

## AN ACT

To authorize the Trustees of Franklin school house to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John C. Murrey, Martin Arnold and Jesse Wagner, (trustees of a certain school house known by the name of the "Franklin school house,") be and they are hereby authorized to sell and convey, at public sale, at such time as they shall deem most advisable, said school house and lot of ground thereunto belonging, with the appurtenances, situated in Franklin township, in the county of York; the net proceeds arising from such sale, shall be appropriated toward paying the expenses which were incurred

by the recent erection of a school house in Franklinton, in said county, under the free school system.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 94.

## AN ACT

Relative to Contingent Expenses of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Auditor General be and he is hereby authorized to settle the accounts of William Jack, clerk of the House of Representatives, for expenditures made by him for legislative guides, maps and diagrams of the House, and for services rendered in the Hall, under resolutions of the House, during the session of one thousand eight hundred and fifty-three, and the State Treasurer is hereby authorized to pay the amounts which may be found due.

Accounts of Wm. Jack to be settled.

Diagrams, &c.

SECTION 2. That the said clerk be and he is hereby directed to pay for diagrams and maps ordered, under resolutions of the House, for the use of the members of the present session; and also for repairs to the dome, and repairs and attendance to the clock, and for erecting furnaces for heating the rotunda, the accounts for all of which to be settled in the usual manner.

Clerk of the Senate to pay for diagrams.

SECTION 3. That the clerk of the Senate is hereby directed to pay for diagrams ordered, under resolution of the Senate, for the use of the Senators of the present session, and the clerks of the Senate and House to pay for the copies of Pardon's Digest furnished to the members of the Senate and House, and the clerks of each House, during the present session, the accounts for which to be settled in the usual manner.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 95.

## AN ACT

Relative to the Cambria Iron Company.

WHEREAS, The Cambria Iron company, incorporated under the laws of this Commonwealth, have been induced by large subscriptions to the capital stock of said company to contract debts to mechanics, laborers and others, in the construction of their works, and which stock the company have been obliged to take back:

Preamble

And whereas, At a meeting of the stockholders of said company it was resolved, in order to pay said debts and complete the works of said company, to sell and dispose of said stock, and to issue and sell five hundred thousand dollars of the bonds of said company, secured by a first mortgage on the entire real estate of said company, and convertible at the option of the holders thereof into the common stock of said company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the aforesaid acts and proceedings of said company are hereby approved, and the directors thereof are authorized to sell and transfer the stock and bonds of said company on the best terms they can procure for the general interests of said company, and that the sale of such bonds or stock at less than the par value of the same, or an agreement to pay a larger rate of interest than six per cent per annum, shall not be deemed usurious, or in any manner invalidate any contract authorized to be made by this act.*

Acts and proceedings of company approved.

SECTION 2. That the holders of the bonds aforesaid, before and after their conversion into the common stock of said company, be entitled for every twelve dollars and one-half paid, to the same privileges of voting according to the scale of votes as the stockholders of said company are now entitled by law.

Voting

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 96.

## AN ACT

To incorporate the Carpentersville Delaware Bridge Company.

Capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Carpentersville Delaware bridge company shall amount to twenty thousand dollars, and that the same shall be divided into shares of fifty dollars each, and the subscribers to said capital stock shall pay the sum or sums of money for the share or shares by them respectively subscribed, at such periods and in such proportion as the directors of said company may determine.

Commissioners.

SECTION 2. That Abraham Arndt, Daniel Raub, Peter Shively, Anderson Calvin and Luther Calvin, be and they are hereby appointed commissioners on the part of this State, who with commissioners to be appointed by the State of New Jersey, shall be authorized to receive subscriptions to said capital stock, at such times and places as they or a majority of them shall direct, giving notice thereof in two of the newspapers printed in the county of Northampton, in the State of Pennsylvania, and in two of the newspapers printed in the county of Warren, in the State of New Jersey, for at least twenty days, of the times and places when and where the said subscriptions shall be received, and at the time of subscribing for the said stock, five dollars shall be paid upon each share subscribed for to the commissioners or some of them, which money shall be paid over to the treasurer of said company, as soon as one shall be appointed, and that the residue of the subscriptions shall be paid in such instalments, and at such times and places, and to such persons, as the president and directors of the company shall from time to time direct and give public notice of, and upon failure of payment thereof as so directed for thirty days thereafter, the said president and directors shall have power to forfeit the shares of each and every person failing to pay the said instalments or any of them, to and for the use of said company: *Provided,* That if the number of shares subscribed for shall exceed the amount or number of shares authorized by this act to be subscribed for, that then the said commissioners shall apportion the said stock among such subscribers, in proportion to the amount or number of shares by them subscribed as aforesaid.

Provided.

By a.

Privileges.

Provided.

SECTION 3. That when two hundred shares are subscribed for, the persons holding the same shall be and they are hereby incorporated into a company by the name of "The Carpentersville Delaware Bridge company," and by that name shall have perpetual succession, and shall be capable of taking and holding their said capital stock, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act: *Provided,* Such increase shall not, with the original subscription, exceed the aforesaid capital of twenty thousand dollars, and the increase and profits accruing



thereon; shall have authority to erect and maintain a good and sufficient bridge over the river Delaware at Carpenter's Ferry, in the township of Williams, in the county of Northampton, and shall be capable of purchasing, taking and holding to them and their successors and assigns, in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as may be necessary for them in the prosecution of their works, and the same sell and dispose of at their pleasure, of suing and being sued, pleading and being impleaded in all courts of justice or any other place whatever.

SECTION 4. That as soon as two hundred shares of the said capital stock shall be subscribed as aforesaid, it shall be the duty of the said commissioners to give notice in two or more of the newspapers printed in the county of Northampton, in the State of Pennsylvania, and in the county of Warren, in the State of New Jersey, of a time and place by them to be appointed, not less than thirty days from the time of issuing said notice, at which time and place the said stockholders shall proceed to organize the said company, and shall choose by ballot, in person or by proxy, one president, six directors, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company: *Provided*, That no person shall have more than twenty votes at an election, and that each person shall be entitled to one vote for every share by him held, not exceeding ten, and one vote for every two shares above ten and not exceeding twenty, and one vote for every five shares above twenty, until the number of votes amount to twenty.

Organization

Proviso.

SECTION 5. That the stockholders shall meet on the first Monday in November in every succeeding year, at such place as shall be fixed by the by-laws of said company, for the purpose of choosing such officers for the ensuing year.

Meetings.

SECTION 6. That the president and directors first to be chosen as aforesaid, shall issue certificates of stock to the several stockholders respectively, signed by the president and countersigned by the treasurer of said company, which certificates shall be transferrable at his or her pleasure, in person or by attorney, subject however to the payments due and that may become due thereon, and the assignee holding any certificate, having first caused the assignment or transfer to be entered in a book of the company to be kept by the treasurer for that purpose, shall for every share of stock so held by him or her, be entitled to his or her equal proportion of the said capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates to be issued

SECTION 7. That the said president and directors shall meet at such times and places and be convened in such manner, as shall be agreed on for transacting their business; at such meetings five members shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions fairly entered in a book, and a quorum being met, they shall have full power and authority to agree with and appoint such engineers, superintendents and artists and other officers, as they shall think necessary to erect and complete the said bridge and conduct the business of the same, and fix their salaries and other wages, to determine the time, manner and proportions in which the stockholders shall pay the money due on their respective shares, to draw orders on the treasurer for all moneys that may be required, the same to be

Quorum.



signed by the president or chairman, and countersigned by the clerk of the board, and to do and transact all matters and things as by the by-laws or regulations of the said company shall be lawful.

*Further powers.*

SECTION 8. That before the said president and directors shall proceed to erect the said bridge, it shall and may be lawful for the said president and directors to contract and agree with the owner and owners of any lands and materials, for the purchase of so much thereof as shall be necessary for the purpose of erecting and completing the said bridge, and making and establishing all the necessary works and roads to and from the same, if they can agree with the owner or owners of the same, but in case they cannot agree, or in case any such owner or owners thereof shall be feme covert, or under age, non compos mentis, or reside out of the State, then it shall and may be lawful for the said president and directors to apply to one of the judges of the court of common pleas of the county in which the said estate is situate, not being a stockholder or otherwise interested, who, upon such application, is hereby authorized and directed to appoint three discreet and disinterested citizens of such county, who after being duly sworn or affirmed before any justice of the peace faithfully to perform the duties enjoined on them by this act, shall proceed to view and examine the said banks and all such lands and tenements as shall be necessary for the purpose of erecting and completing the said bridge, and making and establishing all necessary works and roads to and from the same, and shall, according to the best of their skill and judgment, ascertain and estimate the injury and damage that will be sustained by the owner or owners of such lands and materials so necessary to be taken as aforesaid, and shall report what sum shall be paid by the said company for the same, which report shall be made in writing under their hands and seals, or under the hands and seals of any two of them, and shall return the same together with a map describing the metes and bounds of such lands and materials, to the court of common pleas of the proper county at the term next after they shall have agreed upon and signed the same, and the said report having been confirmed by the said court, shall be filed in the clerk's office of the said court with the map aforesaid, and the said president and directors having paid the said owners respectively the several sums awarded to be paid to them in and by the said report, together with the fees of the said arbitrators at the rate of two dollars to each for every day employed in said business, the said company shall be entitled to have and to hold to them and their successors and assigns forever, the said land and materials as fully and effectually as if the same had been granted to them by their respective owners thereof, and in case any owner or owners of such land so appraised shall be feme covert, under age, non compos mentis, or out of the State, then and in such case, the said company shall pay the amount which has been awarded to such owner or owners respectively, into the court of common pleas of the proper county to the clerk thereof, subject to the order of the said court for the use of the said owner or owners, all which proceedings shall be had at the proper costs and charges of said company, to be determined by the said court: *Provided always*, That should the owner or owners of any such lands or the said company feel himself or themselves aggrieved by the decision of the arbitrators aforesaid, he or they may ap-

*Damages.*

*Provided.*

peal to the next court of common pleas in the county where the land lies, reserving to either party the right of trial by jury in said court, and the decision of the said court in the premises shall be final and conclusive, but the party so appealing shall in no case be entitled to costs unless the award of the arbitrators shall be reversed or altered in favor of the party so appealing, and it shall and may be lawful thereupon and not before, for the said president and directors to enter upon the said lands and materials, and to commence and to complete the erection of said bridge.

SECTION 9. That the president and directors of the said company shall keep fair and just accounts of all moneys received by them from the said commissioners, and from the stockholders, and of the amount of the profits or shares that may be forfeited as aforesaid, and of all voluntary contributions; and also, of all moneys by them expended in the prosecution of the said work, and shall, at least once in each year, submit such accounts to a general meeting of the stockholders, until the said bridge be completed, and until all the costs, charges and expenses for effecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be ascertained and liquidated.

Fair and just accounts to be kept.

SECTION 10. That when a good and complete bridge shall have been erected over the said river Delaware at the place aforesaid, the property of the said bridge shall be vested in the said company, their successors and assigns forever; and the said company, their successors and assigns, may demand and receive toll from travelers and others, not to exceed the following rates: For every coach, landau, chariot, phaeton, or other pleasure carriage with four wheels, drawn by four horses, the sum of seventy-five cents; for every such pleasure carriage with two horses, fifty cents; for every farm or market wagon, with four horses, sixty-three cents; for every wagon of the same description, drawn by two horses, fifty cents; for every chaise, riding-chair, sulky, cart, or other two wheel carriage, or a sleigh or a sled, with two horses, thirty-one and a fourth cents; for the same with one horse, fifteen cents; for a single horse and rider ten cents; for every horse or mule, led or driven, five cents; for every foot passenger two cents; for every head of neat cattle three cents; for every sheep or swine half a cent: *Provided*, That all persons going to and returning from funerals; persons going to or returning from meeting or church; children going to or returning from school, shall pass free of toll: *Provided also*, That in fixing the toll of all carriages drawn wholly by oxen, or partly by horses and partly by oxen, two oxen shall be estimated equal to one horse; and the said company shall so erect the said bridge, as in no wise to injure, stop, or interrupt the navigation of the said river, or prevent boats or rafts from passing, or persons from fording the said river.

Property of bridge to be vested in the company.

Proviso.

Proviso.

Injury to works.

SECTION 11 That if any person or persons shall wilfully cut, destroy, break, or remove from off the said bridge, or any part thereof, any piece or pieces of timber, plank or planks, stone or stones, chain or chains, bolt or bolts, or any other materials whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she, or they so offending, shall forfeit and pay for every such offence, over and above the damages done to the said bridge, the sum of thirty dollars, to be recovered, with costs of suit by action of debt, before any justice



of the peace having cognizance thereof, by any person who shall sue for the same.

Penalty for exacting greater rates of toll than is authorized.

SECTION 12. That if the said company, their successors and assigns, or whoever shall own or possess the said bridge, shall collect or demand any greater rate or prices for the passing over the said bridge than what are hereinbefore described and specified, or shall neglect to keep the said bridge in good repair, he, she, or they so offending shall, for every such offence, forfeit and pay the sum of thirty dollars, one-third thereof for the use of the poor of the county of Northampton, in the State of Pennsylvania, and one-third thereof for the use of the poor in the county of Warren, in the State of New Jersey, and the other third for the use of the person or persons who may sue for the same, in manner aforesaid: *Provided always*, That no suit or action shall be brought, unless within sixty days after such offence may have been committed.

Proviso.

Additional powers

SECTION 13. That the said president and directors shall have power to agree with any owner or owners of ferries, or shad fisheries, that may be injured by the erection of the said bridge, and to compensate them for any damages that may thereby sustain, and if they cannot agree with such owner or owners, then, and in such case, the said damages shall be ascertained and paid in the same manner as is provided for in the eighth section of this act: *Provided*, That no person shall receive any compensation for ferrying at any ferry which shall have been purchased and paid for by the said company, after the said bridge shall have been completed.

Proviso.

Accounts.

SECTION 14. That the said president, directors and company, shall keep just and true accounts of all and every the moneys received by their respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and increase thereof among all the stockholders of said company, deducting first therefrom all contingent costs and charges, and such proportions of said income as may be deemed necessary for a growing fund to provide against the decay, and for re-building and repairing the said bridge; and shall on every first Monday in May and November, in each and every year, publish the dividend to be made of the said clear profits thereof amongst the stockholders, and the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly.

Officers to be sworn

SECTION 15. That the president, and all such officers as the managers shall direct, shall, before he or they act as such, take and subscribe an oath or affirmation for the due and faithful execution of the duties of his or their office.

When act to take effect.

SECTION 16. That this act shall not take effect, or go into operation, until the Legislature of the State of New Jersey shall pass a law appointing commissioners on their part, and vesting like power and authority in the subscribers to said capital stock to erect a bridge at the place aforesaid, and to extend the same from shore to shore, with as full and ample powers, privileges, franchises and emoluments, as to the said company are hereby given.

Commencement and completion of bridge

SECTION 17. That if the said bridge shall not be commenced within five years, and completed within ten years from the passing of this act, the charter hereby granted shall be void.

Debts not to be contracted.

SECTION 18. That it shall not be lawful for the company created by this act, to contract debts, or issue notes or other



obligations for the payment of money, to an amount exceeding, at any one time, three-fourths the amount of its capital actually paid in; and for any violation of this section, the persons who acted as president and directors at the time when such excess of debts was contracted, or such excess of notes or other obligations was issued, shall severally and jointly be responsible for all the debts and contracts of the said company.

SECTION 19. That nothing in this act contained, shall be so construed as to authorize the said bridge company to exercise any banking privileges whatsoever, or to issue any notes in the nature of bank notes; and the Legislature reserves the right of altering, amending, or annulling this charter whenever they think proper.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 97.

## A N A C T

Supplementary to an act to authorize the Governor to incorporate the Wyalusing Bridge Company, passed the seventh day of April, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of managers necessary to constitute a quorum of the board of managers of the Wyalusing bridge company, shall be four instead of six, as heretofore provided by the sixth section of the act incorporating said bridge company, and that said board may receive additional subscriptions, and issue their certificates of stock in accordance with such rates as they may hereafter adopt.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 98.

## AN ACT

To vacate a portion of a certain street and public alley in the borough of Wrightsville, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, that portion of Seventh street, in the borough of Wrightsville, York county, lying between Locust street and Hellam street, and so much of the public alley that leads from Sixth street west to the borough line, be and is hereby declared vacant.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 99.

## AN ACT

For the relief of John Heins, late Treasurer of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the sum of four hundred and thirty-nine dollars and eighty-nine cents be allowed to John Heins, late treasurer of Montgomery county, in the settlement of his accounts with the Treasury Department, for money by him paid under instructions to the directors of public schools in Upper Providence township, in said county: *Provided, That* he the said John Heins exhibit vouchers for the payment of the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 100.

## AN ACT

Relating to certain Real Estate of Wetherill's minors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the orphan's court of the city and county of Philadelphia be and is hereby authorized, upon the application, for that purpose, of Jane and Ellen Wetherill, minor children of Samuel M. Wetherill, late of the city of Philadelphia, deceased, to confirm the sale of two undivided fifth parts of all that certain three story brick dwelling house, and lot of ground, situate on the north side of Mulberry or Arch street, in the city of Philadelphia, beginning at the distance of one hundred and thirty-seven feet westward from the west side of Twelfth street, containing in front, on the said Mulberry street forty-two feet and four inches, and in length or depth one hundred and twenty feet to Budden's alley, made on the tenth day of January, Anno Domini one thousand eight hundred and fifty-four, in pursuance of an order of the said court, by Edward Y. Farquhar, as guardian of the estate of the said minors, in the same manner, and with like effect, as if the said Edward Y. Farquhar had been regularly re-chosen guardian of the said minors, when they respectively attained the age of fourteen years; and that the title of the purchaser of the interest of the said minors in the said property shall not, in any way, be impaired or affected by, or on account of the said Edward Y. Farquhar not having been re-chosen guardian as aforesaid; and that the said Edward Y. Farquhar shall be empowered to receive the purchase money for the same, and to acquit and forever discharge the purchaser, and to make, execute and deliver, in due form of law, all necessary and proper deeds to the purchaser of said property: *Provided,* That upon the confirmation of the said sale by the said court, the said Edward Y. Farquhar shall give security, to be approved of by the said court, conditioned for the faithful appropriation of the proceeds of said sale.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The second day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 101.

## AN ACT

Concerning Roads and Highways in the county of Crawford.

Commissioners to  
divide the several  
townships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Crawford county are hereby authorized and required to divide the several townships in said county into four road districts, as nearly square and equal in extent as practicable, without dividing a sub-school district, and mark the same on a plot or draft of said townships by certain lines or boundaries, with the privilege to change or alter the same as it shall appear expedient.

Supervisors to be  
elected.

SECTION 2. That the electors of the several townships shall annually at the township elections, elect one person for each of said districts, who shall be styled the supervisor of roads and bridges, whose duty it shall be to supervise and take care of the roads and bridges in their respective districts, and discharge such other duties as now are or hereafter may be imposed by law on supervisors of highways.

Meeting of super-  
visors.

SECTION 3. That within ten days after said election, the persons so elected supervisors shall meet at the election house in said township, and each shall take and subscribe an oath or affirmation and file the same with the town clerk, faithfully and impartially to administer the duties of his office, and when so met they, with the assessor who made the last assessment, who is hereby required on notice to attend said meeting, shall proceed to draw off in a duplicate the names of all the taxables in each road district in said township, together with all the property assessed by the said assessor for county rates and levies, and place the same valuation thereon as was placed for county purposes.

Supervisors to lay  
tax.

SECTION 4. That the supervisors shall lay such tax on the property so assessed as they may deem necessary for road and bridge purposes for the current year, not exceeding one half per cent. on every dollar of valuation so made, but if the same shall be all expended and unavoidable repairs shall be required, the supervisors may raise an additional sum for that purpose not exceeding one per cent. in any one year in the whole, and no taxable shall be assessed with less than one days' work per year, and if the supervisors find it necessary they may each year collect a part of the tax not exceeding ten per cent. thereof in money, and no supervisor or road master shall hereafter create any debt against the township by working more than the amount of his duplicate and assessment on the roads, without the consent of the township auditors first had and obtained.

Sub-school dis-  
tricts to be sub-  
road districts.

SECTION 5. That every sub-school district in the respective townships shall be a sub-road district, and the supervisors of each township shall every year within ten days after the road assessment is made and completed, appoint one person as road master in said sub-road district, whose duty it shall be to expend in labor on the public roads and bridges in their respective dis-

tricts the taxes authorized by law, and shall furnish each road master with a list of the taxables in his district together with the amount of tax to be paid by each, and the road master shall notify each person named in his duplicate of the time and place he intends to work on said roads, and if the person so notified neglects or refuses to work as directed, such delinquent shall be returned by the road master forthwith to the supervisors, who are hereby empowered, if said delinquent is a resident of the township, to issue their warrant to the constable of the township for the collection of the same, returnable in twenty days to the treasurer of the township, and the constable is hereby required to execute the same in the same manner and for the like fees as the said constables now do perform and have in case of executions.

SECTION 6. That in case any public bridge should require extraordinary repairs more than the sub-road district should reasonably bear, the supervisors of the township shall apportion the same among the four road districts in such manner as shall be just and proper. Extraordinary repairs.

SECTION 7. That the supervisors of each road district shall, in the month of December in each year, make out a list of all the unseated lands in his district, on which the road tax of the current year remains unpaid, and file the same with the county commissioners, and the same proceedings shall be had for collecting the taxes thereon, as is now provided by law. List of unseated lands to be made out.

SECTION 8. That all moneys raised in said townships for road purposes, shall be paid to the treasurer of the proper township, which shall be paid out only on warrants drawn by a majority of the supervisors. Moneys to be paid to township treasurer.

SECTION 9. That the said supervisors shall annually settle their accounts with the township auditors, as is provided by existing laws, and the compensation of said supervisors not to exceed one dollar per day, each shall be fixed by the said township auditors; and the road masters of the several districts shall be allowed the same daily pay as is allowed to those who work out their tax; and the assessor shall be allowed one dollar for each day necessarily employed with the supervisors, in making out the duplicates herein required. Accounts to be settled with the township auditors.

SECTION 10. That the said supervisors shall make return to county commissioners, of any exonerations claimed by them, on or before the thirty-first of December in each year; and it shall not be lawful for any county treasurer to sell any lands for road taxes, until they have been returned and exonerated as aforesaid. Returns.

SECTION 11. That the said road masters are hereby required to have the tax, in their respective districts, worked out as soon as may be after they receive their duplicates from the supervisors, and not later than the first of August, except unavoidable repairs, or the cutting out of new roads; and they shall annually, in the month of November, meet with the said supervisors and settle their respective accounts; and any failure on part of said road masters to settle or work out their taxes as above stated, shall subject those neglecting to a fine of twenty dollars, to be recovered as other fines of equal amount are by law recoverable, before a justice of the peace, at the suit of the treasurer of the township in which the default is made, on complaint made by the supervisors thereof to said treasurer; and in case any road master shall refuse to act, or decline the appoint- Taxes to be worked out.



ment to that office of the supervisors, he shall be subject to a fine not exceeding five dollars, to be recovered in like manner.

Court of quarter  
sessions to appoint  
viewers.

SECTION 12. That the court of quarter sessions of said county, on being petitioned to grant, to lay out or vacate any public or private road, shall appoint three reputable citizens, one of whom shall be a practical surveyor, and who, in the opinion of the court, shall be fully competent to grade the road to be viewed, and who shall receive one dollar and fifty cents per day, for every day necessarily employed in viewing, locating, and drafting said road, the other two viewers to receive one dollar per day each; that the viewers aforesaid, shall all examine the ground, and any two of them (the surveyor being one) shall have power to locate and grade the road, and shall in their plot or draft accompanying their report, designate what portion of said road is necessary to be graded, together with the improvements through which it may pass; and that no road laid out under this act, shall be confirmed by the court, unless it can be graded at an elevation of not more than five degrees from the plane of the horizon, or be easily reduced to that elevation.

Repeal.

SECTION 13. That the act of the thirteenth of June, eighteen hundred and thirty-six, relating to roads and highways, or so much thereof as is not inconsistent with the provisions of this act, is hereby extended to the county of Crawford.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The second day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 102.

## AN ACT

To amend the Charter of the borough of Gettysburg.

Officers, election  
of.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the election of borough officers for the borough of Gettysburg, shall hereafter be held at the time and place appointed by law for the election of the inspectors of the general elections, and in accordance with and subject to all the provisions of the laws regulating township elections, so far as the same are applicable.*

Members of town  
council.

SECTION 2. The electors of said borough shall at the next annual election of borough officers, elect two competent and proper persons to serve for one year, as members of the town council; two other proper persons to serve for two years, and two other proper persons to serve for three years,



and annually thereafter two persons to serve as aforesaid for three years, and until their successors are duly elected and qualified, and in case of any vacancy occurring by the death, resignation or removal of a member or otherwise, the said council shall have power to appoint a proper person to fill said vacancy until the next annual election of borough officers, when the electors shall choose a person to serve for the unexpired term.

SECTION 3. In the absence of the burgess of said borough, or in case of his inability to act, or if a vacancy in said office, the president of the town council shall, during such absence, inability or vacancy, possess and exercise the powers and perform the duties enjoined upon and possessed by said burgess, and shall be entitled to the same fees that are allowed to the burgess for like services.

In the absence of burgess president of town council to act.

SECTION 4. That the office of street and road commissioner in the said borough be and the same is hereby abolished, and the regulation, repair and supervision of the streets, alleys and other public grounds in said borough, shall hereafter be attended to by the town council personally, or by such officers as they may appoint for that purpose.

Certain offices abolished.

SECTION 5. That so much of the charter of the said borough as is inconsistent with this act, be and the same is hereby repealed.

Repeal

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The second day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 103.

## AN ACT

To incorporate the Darby Creek Meadow Company.

WHEREAS, There is a certain large tract of marsh meadow land situated in the township of Tinicum, in the county of Delaware, contained within the following boundaries, to wit: Beginning at the fast land of George Horne, by the side of the river Delaware; thence down the said river to the mouth of Darby creek; thence up the said creek, by the several courses thereof, to the Kingessing and Tinicum meadow company's bank, near Long Hook dam; thence along the said company's bank to Long Hook dam; thence along the top of said dam to the fast land; thence along said fast land to the place of beginning, which said tract of land is subject to destructive overflows from tides and freshets in said river and creek:

Preamble.

*And whereas,* It has been ascertained by experience, that the provisions heretofore made by law, for the erection and maintenance of the meadow banks, for the protection of said tract of land from such inundations, are inequitable in their operation, and inadequate for such purposes; therefore,

Corporation

Style

Proviso

Meetings

Votes

Proviso

Swine, hogs,  
sheats, &c., to be  
taken up.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the owners of freehold estate, either in possession or reversion, in common or in severalty, in the aforesaid marsh meadow lands within the boundaries of the tract above described, shall be and they are hereby erected into a body politic and corporate, under the name, style and title of the "Darby Creek meadow company," and the said marsh meadow lands shall be called and known as the Darby Creek meadow district: *Provided however,* That any person or persons not owning any lands in the said district as above set forth, but who shall be lessees or agents of the owners thereof for farming or grazing purposes, may become members of the said corporation, upon the application of the owner and owners of the said lands, made in writing to the said company at its annual meeting, whose membership, upon such application, shall be determined by a majority vote of the members present at such meeting; but such persons shall lose their right of membership, upon ceasing to occupy lands for the purpose of farming or grazing, or acting as agents thereof.

SECTION 2. That it shall and may be lawful for the said company, or of as many of its members as shall see fit, to meet together on the fourth Monday after the passage of this act, and on the fourth Monday in September in every year thereafter, at three o'clock in the afternoon, at the White Horse tavern in the township of Ridley, or at such other convenient place as may hereafter be appointed by the managers chosen under this act; of which time and place due public notice shall be given by the treasurer, so also to be chosen, and then and there in person, or by proxy, to elect or choose by ballot or ticket, in writing, three suitable persons, members of the said company, to be managers, and one person to be treasurer of the said company for the year next ensuing, or until the next election.

SECTION 3. That each and every member of the company shall be entitled to one vote, at its elections, for every acre of land owned, occupied, or as agent by him, not exceeding ten, and to one vote for every five acres exceeding that number; and each and every person not owning lands in the said district, but having been elected according to the first section of this act, shall only be entitled to vote in the absence of the owner of the lands which he may occupy, or act as agent thereof; and in the owner's absence, shall be entitled to as many votes as the owner would have been if he were present: *Provided,* That no person shall be entitled to more than twenty votes.

SECTION 4. That it shall and may be lawful for the owners and occupiers of lands within the said district to take up, or cause to be taken up, all swine, hogs, shoats or pigs, which they may find trespassing upon their grounds, and confine them in some convenient place, and immediately thereupon the person and persons so taking up such swine, hogs, shoats or pigs, shall advertise the same at public sale, by not less than three written or printed advertisements, put up in the most public places within the said district, giving at least five days' notice of the time and

place of sale, and sell the same to the highest bidder, the proceeds whereof, after deducting the necessary expenses, to be paid to the treasurer of the said company for the general benefit thereof: *Provided*, That the owner or owners of the said swine, hogs, shoats or pigs, shall have the right to redeem the same before the day of sale, by paying such damages to the owner or occupier of the land upon which said swine, hogs, shoats or pigs were found, to be assessed by two indifferent persons chosen by the said owner or occupier whereon the same were found

Proviso

SECTION 5. That all the provisions from the third to the thirty-third inclusive, except the fourth and seventeenth sections of an act, entitled "An act incorporating the Kingsessing and Tinicum meadow company," approved the third day of April, one thousand eight hundred and fifty-one, shall be extended to the said Darby Creek meadow company, that are consistent therewith.

Subject to provisions of certain act.

SECTION 6. That the Legislature hereby reserves the right to alter, amend, or repeal this act whenever, in their opinion, it may become necessary for the public advantage to do so.

Reservation.

E. B. CHASE,

*Speaker of the House of Representatives*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—This second day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 104.

## A SUPPLEMENT

To an act to incorporate the Lewisburg, Centre and Spruce Creek Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lewisburg, Centre and Spruce Creek Railroad company, incorporated by an act of the General Assembly of the Commonwealth of Pennsylvania, approved the first day of April, Anno Domini, one thousand eight hundred and fifty-three, be and are hereby authorized, should they deem it for the best interest of the company, to connect their road with the Pennsylvania railroad at Tyrone, in the county of Blair, instead of connecting at Spruce Creek as now provided in the act to which this is a supplement, or to intersect with the Allegheny Portage railroad, at Hollidaysburg.

Connections authorized.

SECTION 2. That releases may be taken in the name of the Lewisburg, Centre and Spruce Creek Railroad company, for the right of way along the proposed route of said Lewisburg, Centre and Spruce Creek railroad previous to taking out the charter,

Releases



Proviso.

and shall be as good and valid to all intents and purposes, as if the charter had been taken out and the company legally organized: *Provided, however,* That the charter be taken out and the company organized within one year from and after the execution of such releases.

Commissioners.

SECTION 3. That Samuel Calvin, Thomas B. Moore, Thaddeus Banks, Samuel S. Blair, James M. Bell, Thomas C. McDowell and Thomas Bingham, of Blair county, and John Cummings, of Union county, be and are hereby appointed commissioners, in addition to those appointed under the first section of the act to which this is a supplement.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 105.

## AN ACT

Authorizing the Canal Commissioners to investigate the claims of John S. Keneagy and Christian Keneagy, of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized and required to investigate and ascertain the amount of damages, if any sustained, by John S. and Christian Keneagy, in consequence of the appropriation by the Commonwealth of a spring of water upon their land in Paradise township, Lancaster county, and report the same to the Legislature.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 106.

## A SUPPLEMENT

To an act authorizing the Governor to incorporate the West Chester and Wilmington Plank Road Company, and for other purposes, approved the third day of March, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for the president and managers of the West Chester and Wilmington Plank Road company in the construction of the said plank road, to vary from the bed of the present public road leading from the borough of West Chester, in the county of Chester, by Darlington's Corner, Dillworths-town and Painter's Cross-Roads to the city of Wilmington, in the State of Delaware, wherever it may be considered beneficial, first obtaining the consent of the land owner or owners through which said variation passes: And the parts of the said present public road supplied by such variation of the plank road, shall from the opening of said plank road or such part thereof, be deemed and considered vacated.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 107.

## AN ACT

To incorporate the Tacony and Poquessin Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Deal, William Raphael, M. W. Baldwin, Casper W. Morris, David Conrad, Henry C. Pratt, Richard Wigfall, Isaac Pearson, Joseph Harrison, David Smith, George H. Burgess, Aaron Conrad, F. W. Stoeber, Charles Macalester, Samuel Grant, junior, A. E. Borie, Caleb Cope, Hiram B. Filden, Francis King, William H. Gatzmer and George W. Fitzwater, or any five of them, be and they are hereby appointed commissioners

Style.	to open books, receive subscriptions and organize a company by the name, style and title of "The Tacony and Poquessin Plank Road company," with power to construct a plank road commencing at the intersection of the River road and the Bristol turnpike, at the lower end of Frankford, and following the River road as near as practicable to Pennepack Creek, thence in as near a direct line as may be deemed most judicious by a majority of the stockholders, crossing Poquessin creek and terminating at or near Andilusia, in Bensalem township, Bucks county, with power to extend branches of their road to such other points as may be deemed expedient by a majority of the stockholders,
Privileges.	subject to all the provisions and restrictions of "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.
Subject to provisions of certain act.	
Capital stock.	SECTION 2. That the stock of said company shall consist of three thousand shares at twenty dollars per share: <i>Provided</i> , That said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road, and carry out the true intent and meaning of this act.
Commencement and completion of road.	SECTION 3. That if said company shall not commence the construction of said road within two years from the passage of this act, and complete the same as far as Pennepack Creek within three years, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.
Vacation.	SECTION 4. That said company shall have power to vacate any parts of public roads heretofore in use, but supplied and made useless by the construction of said plank road.
Location of gates.	SECTION 5. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeable to the conditions and restrictions of sections twelve and thirteen of the "Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls which discriminate in favor of wheels of a greater width than four inches, and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels in any case: <i>Provided also</i> , That said company shall have power to collect tolls within the limits of the twenty-third ward of the extended incorporated city of Philadelphia: <i>Provided also</i> , That the width of said road shall be fifty feet north eastward from Bridge street where it passes the United States Arsenal property.
Proviso.	
Proviso.	

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 108.

## AN ACT

Regulating certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever it shall become necessary, by reason of the recent establishment of the wards of the city of Philadelphia, to fix new places for the municipal elections to be held therein next June, it shall be lawful for the commissioners of said county to fix the same.

Commissioners of Philadelphia to fix places of holding elections.

SECTION 2. That the election districts of South Lebanon and Cornwall townships, in the county of Lebanon, shall be defined and regulated according to the line of division, as established between the aforesaid townships by authority of law.

South Lebanon and Cornwall townships, Lebanon county

SECTION 3. That the qualified voters of the township of Chess, in the county of Cambria, shall hold their general and special elections at the school house, on the farm of Richard J. Proudfoot, in said township, and that Richard J. Proudfoot shall act as judge, and Washington Douglass and John Eldred as inspectors, with power to fill vacancies, to hold the first township election on Saturday, May the thirteenth, next; at which election the said qualified voters shall elect a full compliment of school directors and township officers; and said judge and inspectors are hereby authorized and required to publish the usual notice for holding said elections.

Chess township, Cambria county.

SECTION 4. That hereafter the general and borough elections of the borough of Catasauqua, in the county of Lehigh, shall be held at the house owned by Solomon Biery, and now in the occupancy of Nathan Frederick, in said borough.

Catasauqua, Lehigh county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 109.

## A N A C T

Authorizing the election of Four Supervisors in Washington township, Indiana county, and in Plum Creek township, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the qualified voters of Washington township, Indiana county, and the qualified voters of Plum Creek township, Armstrong county, be and they are hereby authorized to elect four supervisors of the public highways for each township at the usual time and place for holding township elections in said townships.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 110.

## A N A C T

Relative to the Collection of Taxes in Lancaster township, in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the collection of State and county taxes in Lancaster township, in the county of Lancaster, shall be given to the lowest bidder for the same, and proposals therefor may be presented at the commissioners' office in said county, in the month of February in each year, the difference between the compensation now allowed by law for the collection of such taxes, and the bids obtained under the provisions of this section, shall be paid into the school fund of said township: Provided, That security shall be required of the collector as in other cases.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 111.

## A N A C T

Relating to the estate of Hugh Scott and others.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the third section of the act, entitled "An act authorizing the erection of a school house in South-west township, Warren county, and revising the charter of the Norristown and Valley railroad company, under the name of the 'Chester Valley railroad company,'" passed the twenty-second day of April, Anno Domini one thousand eight hundred and fifty, shall not be construed to apply to the estate of Hugh Scott, late of the county of Philadelphia, deceased, John Foulkrod, Charles Hotz or Pearson Serrille, stockholders in the Norristown and Valley railroad company: *Provided,* That the claims of the estate of the said Hugh Scott, deceased, John Foulkrod, Charles Hotz or Pearson Serrille, be presented within three months from the passage of this act.

SECTION 2. That the directors of said company shall have full power and authority, and they are hereby required upon the application of the administrator or legal representatives of the said Hugh Scott, deceased, John Foulkrod, Charles Hotz or Pearson Serrille, to issue to him or them such amount of stock as he or they are justly and equitably entitled to under the general provisions of the above recited act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 112.

## A FURTHER SUPPLEMENT

To an act to incorporate the Pittsburgh and Connelville Railroad Company, passed April third, Anno Domini one thousand eight hundred and thirty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of the tenth section of an act, entitled "An act to



incorporate the Pittsburgh and Connelsville railroad company," approved the third day of April, Anno Domini one thousand eight hundred and thirty-seven, which makes provision for the parties to appoint six suitable and disinterested persons to estimate damages, be and the same is hereby repealed, and the provision of said section for the appointment of a jury by the court of common pleas, shall apply to all cases of damages arising under said act and its supplements.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

### No. 113.

### A SUPPLEMENT

To an act, entitled "An act to erect the town of Bethany, in the county of Wayne, into a borough," approved the thirty-first day of March, Anno Domini one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the chief burgess and town council of the borough of Bethany, in the county of Wayne, be and the same are hereby authorized and empowered to give notice to any owner or owners, occupant or occupants of any lot or lots bounded by any public street in said borough, to make suitable side-walks along and opposite to their respective lot or lots, either by flagging, paving or plank-ing the same, as the said burgess and council shall direct in said notice, and at such points width and grade, as shall be fixed and decided upon by the authority aforesaid.*

SECTION 2. And if any owner or owners, occupant or occupants of any lot or lots aforesaid, shall refuse or omit to comply with the requirements of said notice, and shall neglect to make, or cause to be made and finished, the walks required by the authority aforesaid for the space of one hundred days after such notice shall have been given, it shall be lawful for the burgess and town council aforesaid, to proceed to construct said walks in such manner as they deem fit and proper, keeping a just and true account of the cost and expenses thereof, for the recovery of which, they are hereby authorized to file a claim in the nature of a mechanics' lien in the court of common pleas of Wayne county, in the name of the borough of Bethany, against the owner or owners of said lot or lots to which said side-walks have been made; which claim so filed, shall be a lien upon said lot or lots, and the authority aforesaid are hereby authorized to

proceed and collect, in the manner pointed out by the act of the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, and its several supplements relating to mechanics' liens.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

### No. 114.

### A SUPPLEMENT

To an act to authorize the Governor to incorporate the Delaware County Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Delaware County Turnpike Road Company in reducing the grades of their road and otherwise improving the same, shall be authorized to vary the route or bed thereof, for the purpose of diminishing the expense that would otherwise be incurred in making the proposed grades and improvements: *Provided*, That the said variation or change of route shall be made with the written consent of the owners, or legal representatives of the owners of the land through which the same shall pass, and that the new route shall not at any point be at a greater distance from the present bed of the road than three hundred feet.

SECTION 2. That in case of any change having been made in the route of said road, as authorized by the preceding section, it shall be the duty of said company to file a plot or draft thereof in the office of the court of quarter sessions of the proper county, and when the grading and improvement of the part or parts of the road so changed shall have been completed, the bed of the present road between the points of variation shall be vacated.

SECTION 3. That the said company shall be authorized to increase the amount of their loans one thousand dollars for every mile of their road west of the intersection of the Darby and Haverford road, which shall be reduced to a grade not exceeding two and a half degrees: *Provided*, No bond shall be issued for a less denomination than one hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, A. D., one thousand eight hundred and fifty-four.

WM BIGLER.

No. 115.

## A N A C T

Supplementary to an act, entitled "An act to erect Montoursville, in the county of Lycoming, into a Borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That* at the first election held in the borough of Montoursville, in the county of Lycoming, after the passage of this act, there shall be elected six qualified persons for town council of said borough, two to serve one year, two to serve two years, and two to serve three years, and thereafter two members of the town council annually, to serve three years.

SECTION 2. That it shall be lawful for the town council of said borough of Montoursville to appoint, from time to time, one or more high constables for said borough, and to remove said constable or constables so appointed at pleasure; and the constable or constables so appointed, shall have all the power and authority heretofore conferred on the high constables elected by the citizens of said borough.

SECTION 3. That so much of any law heretofore enacted, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 116.

## A N A C T

Supplementary to the act incorporating the Manheim, Petersburg, and Lancaster Plank Road Company, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Manheim, Petersburg, and Lancaster turnpike and plank road company is hereby authorized and empowered to collect and secure toll, not exceeding four cents per ton per mile on all



iron, ore, stone, coal, wood and lumber that may be carried over said road or any part thereof: *Provided*, That in the collection of toll by the load, the company may demand and is hereby authorized to demand and collect on wagons and carts, the wheels of which are not less than four inches broad, not exceeding the rate of one cent per mile for every horse drawing the same.

SECTION 2. That it shall be lawful for the said company to construct part of their road turnpike and part plank, or the whole length turnpike or plank as they shall, in their judgment, deem advantageous to the stockholders: *Provided*, That said turnpike shall not be less than twelve feet wide.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 117.

### AN ACT

Relating to certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the place of holding the general and township elections in the township of Delaware, Mercer county, shall be in the school house in the village of New Hamburg, in said township, from and after the passage of this act. Delaware township, Mercer co.

SECTION 2, That the qualified electors of the township of Great Bend, in the county of Susquehanna, shall hereafter hold their general and township elections at the house now occupied by Alfred Allen, in said township. Great Bend tp.,  
Susquehanna co.

SECTION 3. That the qualified voters of Wiconisco township, Dauphin county, shall hereafter hold their general, special, and township elections at school house, number five, in said township. Wiconisco tp.,  
Dauphin co.

SECTION 4. That the qualified voters of the towns of Newkirk and Buckville, in Schuylkill township, Schuylkill county, shall hereafter, at all general elections, vote with the voters of the north ward, in the borough of Tamaqua. Newkirk and  
Buckville,  
Schuylkill co.

SECTION 5. That the general, special, and township elections in the township of Price, in the county of Monroe, shall hereafter be held at the house of Jacob Smith, in said township. Price tp., Monroe  
county.

SECTION 6. That hereafter the general, special, and township elections in Rockland township, Venango county, shall be held at the house of William Gates, in said township. Rockland tp., Ve-  
nango county.

Hopewell tp.,  
Cumberland co.

SECTION 7. That the electors of the township of Hopewell, in the county of Cumberland, shall hereafter hold their general and township elections in the new brick school house in the village of Newburg, in said township.

Milford tp.,  
Bucks county.

SECTION 8. That hereafter the general and township elections in Milford township, Bucks county, shall be held at Milford Centre hotel, now occupied by Samuel Diehl, in said township.

Jefferson tp.,  
Washington co.

SECTION 9. That the qualified voters of Jefferson township, in the county of Washington, shall hereafter hold their general, special, and township elections in a house formerly occupied as a church in Eldersville, belonging to Hugh Patterson, in said township, and that William Van Wordstrand be judge, and James Walker and James P. Robison be the inspectors of the next ensuing election, to wit: one thousand eight hundred and fifty four.

Cook tp., West-  
moreland co.

SECTION 10. That the general and township elections of Cook township, in the county of Westmoreland, shall be held at the house of Seymour M. Campbell, in said township, and that the township election in March next, shall be held by the officers who held the last general election at the place aforesaid.

Donegal tp.,  
Westmoreland co.

SECTION 11. That the general and township election of Donegal township, Westmoreland county, shall be held at the house of John A. Hays, in the town of Donegal.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 118.

## AN ACT

To incorporate the Franklin Plank Road Company.

Commissioners.

Style.

Location.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Brittain M'Gargle, Hiram Frinston, John S. Laird, Daniel Dugan, Simon Hawley, Thomas Opp, John D. Smith, Joshua Taggart, Peter Beeber, Simon Schuyler, Hezekiah Noble, Thomas Clapp and J. M. B. Petrikin, or any five of them, be and they are hereby authorized to open books, receive subscriptions and organize a company by the name, style and title of the Franklin Plank Road Company, with power to construct a road part plank and part turnpike, or all plank or turnpike, from a point on Little Muncy creek, not exceeding three miles above Lairds-ville, thence by the nearest and best route by the way of

Lairdsville until it intersects the Penns' plank road, at any point on said road as shall be deemed most advisable, subject to all the provisions and restrictions, and with all the privileges contained in the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, except where the provisions of the same shall conflict with this act: *Provided*, That the said company shall have a right to make use of the whole or any part of the public roads between the points specified, and locate their road upon the ground now occupied by such road or roads, and *Provided further*, That the grades of said road shall not be of greater angle than five degrees.

Subject to provisions of certain act

Proviso.

Proviso.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares at twenty-five dollars per share, and in the event of any delay or inability of the company to obtain the whole stock necessary for the completion of said road, it shall be lawful for said company to borrow any sums of money not exceeding ten thousand dollars, at any rate of interest not exceeding six per centum per annum, and pledge the tolls on said road as security therefor, and to issue bonds therefor in any sum not less than one hundred dollars.

Capital stock.

SECTION 3. That if the said company shall not commence their road within two years after the passage of this act, and complete five miles of said road within five years, then this act to be null and void.

Commencement and completion of road.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 119.

## AN ACT

To prevent the Obstruction of the Cowanisque Creek.

WHEREAS, The Cowanisque creek in the county of Tioga was, by an act of Assembly passed the twenty-sixth day of March, one thousand eight hundred and thirteen, declared a public highway for the passage of boats, rafts, and other vessels:

*And where is*, Great injury has been done to the owners of property located on said creek, as well as to arks, boats, timber, and board rafts navigating said creek, by the floating and running of loose logs and timber trees down said creek; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it shall not be lawful for



any person or persons to run or float any loose log or logs, timber, tree or trees down said Cowanisque creek within the county of Tioga: *Provided however*, That the owner or owners of saw mills on said stream may float saw logs, to be manufactured at their respective mills, a distance not exceeding one mile above said mill.

SECTION 2. That any person violating the provisions of the first section of this act, shall be liable to an indictment in the court of quarter sessions of the peace for Tioga county, and upon conviction thereof, shall forfeit and pay for every such offence, a sum not exceeding five hundred dollars, at the discretion of said court, and undergo an imprisonment in the county jail of said county, for a term not exceeding six months.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 120.

## AN ACT

For the relief of Andrew Christy, an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer be and is hereby authorized and required to pay to Andrew Christy, of Butler county, a soldier of the Indian war, a gratuity of forty dollars and an annuity of forty dollars annually thereafter during the term of his natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 121.

## AN ACT

## A SUPPLEMENT

To an act entitled "An act to appoint commissioners to run and mark the county lines between Bedford, Fulton and Huntingdon, passed the twentieth day of April, Anno Domini, one thousand eight hundred and fifty-three.

WHEREAS, By the survey of the lines between the counties of Fulton and Huntingdon, made in pursuance of an act entitled "An act to appoint commissioners to run and mark the county lines of Bedford, Fulton and Huntingdon, approved the twentieth day of April, Anno Domini, one thousand eight hundred and fifty-three, the residence of Frederick Dubbs has been found to be situate part in Fulton and part in Huntingdon :

*And whereas*, Doubts have arisen as to which county the occupants of said house are citizens of ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the house in which Frederick Dubbs now resides, be taken and deemed to be entirely in the county of Fulton, and the persons now occupying or hereafter to occupy the same as a residence, be taken and deemed to be citizens of Fulton county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 122.

## AN ACT

Relating to Official Seals.

WHEREAS, The seals of the several counties, courts, and county officers of the Commonwealth of Pennsylvania differ materially in regard to the legends and devices upon them :

*And whereas*, It is desirable that there should be uniformity in the attestation of official papers by public officers ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That upon every seal hereafter to be procured of a county, court of common pleas, court of oyer and terminer, court of quarter sessions, orphans' court, register, recorder, and notary public of the Commonwealth of Pennsylvania, there shall be engraved the same device as is engraved on the great seal of the State, together with the name of the county, court, or office in which the seal is to be used for the attestation of official papers.*

SECTION 2. That the Secretary of the Commonwealth shall be required to procure from time to time, the seals for the several counties, courts, and county officers, and notaries public in said several counties in the Commonwealth, and that the Auditor General shall charge said several counties respectively with the cost of said seals, except those of notaries public.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 123.

A SUPPLEMENT

To an act, entitled "An act to incorporate the Cleveland and Mahoning Railroad Company," passed eleventh February, Anno Domini one thousand eight hundred and fifty-three.

Assent of Commonwealth given.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the assent of this Commonwealth be, and the same is hereby given to all and each of the provisions contained in an act of the General Assembly of the State of Ohio, entitled "An act relating to the sale of bonds of railroad companies, and to increase the number of directors," passed December fifteen, Anno Domini, one thousand eight hundred and fifty-two, so far as the Cleveland and Mahoning railroad company is concerned, and the said act of the General Assembly of the State of Ohio is hereby adopted, ratified and confirmed, and enacted into a law of this Commonwealth, with all and each of the provisions, conditions, and restrictions thereof, so far as the same can or does apply to the said Cleveland and Mahoning railroad company: Provided, That no bond, or other evidence of debt, shall be issued of a less denomination than one hundred dollars, and that an exemplified copy of the above recited act of the State of Ohio*

Proviso.



shall be annexed to this act, and published in the same manner as this act shall be published, and the Governor shall cause an attested copy of this act to be transmitted to the Governor of Ohio, for the use of that State.

SECTION 2. That should the Ohio and Pennsylvania railroad company extend a branch of their road to a point at or near the town of New Castle, in the county of Lawrence, then the said Cleveland and Mahoning railroad company may connect their road with said branch, at such point as may be mutually agreed upon by the aforesaid companies. Connections.

SECTION 3. That the county of Lawrence, by a majority of the commissioners thereof, is hereby authorized to subscribe any sum, not exceeding one hundred and twenty-five thousand dollars, to the capital stock of the said Cleveland and Mahoning railroad company, and to make payments therefor upon the express terms recommended by the grand jury of said county, at the December term, A. D. one thousand eight hundred and fifty-three, of the court of quarter sessions of said county, and that the county of Beaver is also hereby empowered and authorized to make a like subscription in like manner: *Provided*, The same be recommended by the grand jury of said county. County of Lawrence authorized to subscribe stock  
Provided.

## AN ACT

Relating to the sale of Bonds of Railroad Companies, and to increase the number of Directors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the directors of any railroad company authorized to borrow money, and to execute bonds or promissory notes therefor, shall be and they are hereby authorized to sell, negotiate, mortgage or pledge such bonds or notes, as well as any notes, bonds, scrip, or certificates for the payment of money or property which such company may have heretofore received, or shall hereafter receive as donations or in payment of subscriptions to the capital stock, or for other dues of such company, at such times and in such places, either within or without the State, and at such rates and for such prices as, in the opinion of said directors, will best advance the interest of such company; and if such notes or bonds are thus sold at a discount, such sale shall be as valid in every respect, and such securities as binding for the respective amounts thereof, as if they were sold at their par value.

SECTION 2. That no director of any railroad company shall, either directly or indirectly, purchase any shares of the capital stock, or any of the bonds, notes, or other securities of any railroad company of which he may be a director, for less than the par value thereof; and all such stocks, bonds, notes, or other securities that may be purchased by any such director for less than the par value thereof, shall be null and void.

SECTION 3. That any railroad company heretofore incorporated, or which may be hereafter incorporated in this State, shall be and is hereby authorized by a vote of a majority of the stock of such company, to increase the number of directors provided for in the charter of such company, to any number not greater

than thirteen; and the increased number of directors thus created, shall have the same power, and perform the same duties as may be provided for in the charter of such company.

JAMES C. JOHNSON,  
*Speaker of the House of Representatives*  
WILLIAM MEDILL,  
*President of the Senate.*

December 15, 1852.

—  
SECRETARY OF STATES' OFFICE, }  
*Columbus, December 24, 1853.* }

I, William Trevitt, Secretary of State of the State of Ohio, do hereby certify that the annexed and foregoing act is correctly copied from the original roll remaining on file in this office.

[ L. s. ] In testimony whereof I have hereunto subscribed my name, and affixed the great seal of the State at Columbus, this day and year aforesaid.

WILLIAM TREVITT,  
*Secretary of State.*

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

—  
We certify that the bill, entitled "A supplement to an act to incorporate the Cleveland and Mahoning railroad company," passed the eleventh of February, A. D. one thousand eight hundred and fifty-three, was presented to the Governor on the twenty first day of February, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him, wherefore it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,  
*Clerk of the House of Representatives.*

THOS. A. MAGUIRE,  
*Clerk of the Senate.*  
March 24, 1854.

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No. 124.

## AN ACT

Relative to the County Offices of Cambria county

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the qualified electors of Cambria county shall at the next general election, at the times and places of electing representatives, and whenever thereafter it becomes necessary for an election,*

under the provisions of an act of Assembly passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine, entitled "An act relating to the elections of this Commonwealth," elect one person to fill the office of prothonotary, clerk of the court of general quarter sessions and oyer and terminer, and one person to fill the office of register of wills, recorder of deeds, and clerk of the orphans' court.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 125.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Mercer and New Castle Railroad Company," approved the thirtieth of March, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mercer and New Castle railroad company is hereby authorized to borrow money and to issue their bonds for the same, in sums of not less than one hundred dollars each, at such rates of interest and on such terms as may be determined by the board of directors of said company, and to secure the payment of said bonds, by executing and delivering to such trustee or trustees as they may select, a mortgage or mortgages of all or any part of their estate real personal, rights, liberties and franchises, and further, if they think proper to make said bonds convertible into stock at par, which stock they are hereby authorized to issue when required.

Mercer and New  
Castle railroad  
authorize i to  
borrow money.

SECTION 2. That the stockholders of said company shall hereafter elect seven persons as directors of said company, one of whom shall be chosen by said directors president of said company, said president and a majority of said directors shall be citizens resident of this Commonwealth, and shall be owners respectively of at least three shares of the stock of said company, and the said stockholders are hereby authorized to hold a special election on the first Monday of May, A. D., one thousand eight hundred and fifty-four, for the purpose of electing said directors, who shall serve till the next annual election, and that the present board shall continue in office until the said seven directors are elected and no longer: *Provided,* That thirty days public notice be given prior to such election.

Election of dire-  
tors.

SECTION 3. That hereafter all subscription of stocks to said company shall be good and valid, if the party or parties making the same shall at the time of subscribing pay for the use of said company, the sum of one dollar on each and every share subscribed.

Subscrip'tions  
made valid.

Proviso.



Extension of time.

SECTION 4. That the time for commencing the construction of said Mercer and New Castle railroad, be and the same is hereby extended to the first day of July, Anno Domini, one thousand eight hundred and fifty-nine.

Tonnage subject to a duty.

SECTION 5. That all tonnage of whatsoever kind or description, except the ordinary baggage of passengers, passing over said Mercer and New Castle railroad, shall be subject to a toll or duty for the use of the Commonwealth at the rate of three mills per mile for each ton of two thousand pounds, to be collected and paid into the treasury in the same manner and subject to the same provisions as are now in force in regard to the tax upon tonnage passing over the Pennsylvania railroad, and if the Venango Railroad company shall connect their railroad with the said Mercer and New Castle railroad, the tonnage passing over said Venango railroad shall be subject to the same rate of toll or tax and the manner of collecting the same, as is herein provided in regard to the Mercer and New Castle railroad, and the Legislature shall have the right at any hereafter, if said connections shall be formed by said railroad companies, to impose a tax upon all passengers passing over the same, at a rate not exceeding one one half cent per mile upon each passenger passing over the same or either of the said roads.

Connections.

proviso

SECTION 6. That the said Mercer and New Castle railroad company, is hereby authorized to connect their railroad with any railroads in the State of Ohio coming to the State line westward of Mercer: *Provided*, That the main line shall be completed before said branches be constructed: *Provided*, That it shall not be lawful for it to connect with any railroad running or to run, northward or eastward of the route of the Sunbury and Erie railroad, and if the Venango railroad company shall connect with the first named railroad, it shall be taken as a binding agreement by said company that they shall not construct any branch or part of their railroad, or connect with any railroad northward or eastward of the route of the Sunbury and Erie railroad: *Provided further*, That said Mercer and New Castle railroad company shall not lease or mortgage its road to any railroad company not incorporated under the laws of this State, and have no other powers to run in connection with any other railroad, than are or may be authorized by the laws of this Commonwealth.

Certain connections prohibited.

SECTION 7. That the said Mercer and New Castle railroad company, shall not connect with any railroad company constructed in the State of Ohio at any point on the State line north of the north line of Mercer county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of March, A. P., one thousand eight hundred and fifty four.

WM. BIGLER.

No. 126.

## AN ACT

Directing the Judges of the Court of Common Pleas, in Philadelphia county, to appoint an examiner in the case of Elizabeth Cameron, a lunatic.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the judges of the court of common pleas of Philadelphia county, are hereby authorized to appoint an examiner to hear, ascertain and report to said court, the amount due the commissioner and committee of Elizabeth Cameron, a lunatic, and upon confirmation of the same by said court, that the commissioners of said county be directed to draw an order upon the county treasurer for the said amounts: Provided, That said court shall be satisfied that such expenses were incurred in a proceeding that under the circumstances might properly have been instituted by the county.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 127.

## AN ACT

Repealing a State Road in Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sections of an act entitled "An act incorporating the Girard Fire and Marine Insurance Company, of Philadelphia; to a State road in Franklin county, and for other purposes," approved the twenty-sixth day of March, Anno Domini, one thousand eight hundred and fifty-three, be and the same are hereby repealed.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 128.

## AN ACT

Repealing certain sections of An Act approved the twenty-fifth day of February, Anno Domini, one thousand eight hundred and fifty-one, and certain sections of an act approved the twenty-sixth day of March, one thousand eight hundred and fifty-one, relating to granting licences in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first, second, third and fourth sections of a supplement to an act approved the twenty-fifth day of February, Anno Domini, one thousand eight hundred and fifty-one, entitled "A supplement to an act entitled 'An act relating to inns, taverns and retailers of vinous and spirituous liquors,' passed the eleventh day of March, Anno Domini, one thousand eight hundred and thirty-four," and the fifth, sixth and seventh sections of an act entitled "An act to incorporate the Penningtonville and Oxford Plank road company; to authorize the Canal Commissioners to examine the barn of John Scott; relative to licenses in the counties of Chester and Delaware, and to a tavern license in Blair county," approved the twenty-sixth day of March, Anno Domini, one thousand eight hundred and fifty-one, be and the same are hereby repealed, so far as they relate to the granting of licences in the county of Chester, and that the treasurer of the county of Delaware shall not grant a license to any storekeeper for the sale of liquor, except upon the certificate of one of the judges of the court, in the same manner as is prescribed in eighth section of the last above recited act: *Provided,* That nothing herein or in the rules of court of said county of Chester, shall be construed to prevent the court of quarter sessions of said county of Chester from granting licenses for inns and taverns, at second session of the year one thousand eight hundred and fifty-four, although the houses for which such license is asked shall not before have been licensed.

SECTION 2. That all applications for licenses for the sale of vinous and spirituous liquors by stores, and for breweries and beerhouses in the said county of Chester, shall be made to the court of quarter sessions instead of to the county treasurer, by petition of the applicant, who shall be recommended by twelve respectable citizens of the township or borough where such applicant resides, as a person of good repute for honesty and temperance, and who shall certify that such license is necessary for the accommodation of the public, and said court shall have discretionary power to grant or refuse said licenses.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER .



No. 129.

## A SUPPLEMENT

To the act entitled "An act re-chartering the North American Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation known as the North American Coal company, chartered by an act of the General Assembly of said Commonwealth of Pennsylvania, approved the first day of April, Anno Domini, one thousand eight hundred and thirty-six, entitled "An act to re-charter the North American Coal company," be and is hereby authorized to issue in addition to the stock which has been already issued under the provision of its existing charter eight thousand shares of stock, for the purpose of sinking a shaft or shafts upon their lands, in order to the development of the coal therein, each share to represent and entitle the holder thereof to twenty-five dollars in the capital stock of said company : And the said corporation may sell and dispose of the said additional stock or any part of the same in the market, for the best price that can be gotten for the same : And the said additional stock so issued, shall be entitled to a preference over all the other stock of the said company in every future dividend of profits which may be declared by the said company, until the holders of such additional stock shall have been paid from the funds applicable to the payment of such dividend, not exceeding ten nor less than eight per cent. on the amount of capital stock of said company, represented by said shares of additional stock so held by them respectively : And the holders of the other stock of the said company shall not be entitled to participate in any future dividend out of the profits of said company, until the holders of said additional stock shall have been paid from the funds applicable to such dividends, not exceeding ten per cent. per annum on the amount of the capital stock of the said company, represented by the said additional stock so held by them respectively : *Provided*, That nothing herein contained shall be construed to give the holders of said additional stock any preference over the creditors of said corporation, whether the debts due to such creditors have been already or may hereafter be contracted : *And provided further*, That the holders of said additional stock so issued, shall have the privilege of converting the said stock so held by them into common stock of the said company, at any time after the passage of this act.

Additional stock  
authorized to be  
issued.

*Proviso.*

*Proviso.*

SECTION 2. That within one year after the passage of this act, the said company shall pay to the State Treasurer, for the use of the Commonwealth, a tax of one quarter of one per cent. upon the amount of stock hereby authorized to be sold.

To pay to State  
Treasurer certain  
moneys.

SECTION 3. That this act shall not take effect until it shall have been accepted by a majority of the stockholders in number and interest of said company, at a meeting called for the pur-

When act to take  
effect.

pose, after due notice to the several stockholders published in two newspapers in Philadelphia, and one in Schuylkill county, two weeks prior to the meeting.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 130.

## AN ACT

To incorporate the Tamaqua Gas Company.

*Corporators.*

*Style*

*Privileges.*

*Object*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Robert Ratchiff, Reuben A. Heaton, John Hendricks, John Johnson, Benjamin T. Hughes, S. Morganroth, W. W. M'Guigan, John S. Boyer, James Carter, P. W. Ash, William Prieser, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Tamaqua Gas company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this Commonwealth and elsewhere; and also of contracting and being contracted with relative to the business and objects of the corporation as hereinafter declared; and they and their successors as aforesaid, shall have power to lease or purchase in fee simple, such real estate as may be necessary for carrying on the business of said corporation.

SECTION 2. That the corporation hereby created, is so created for the purpose, and for such purpose shall have authority of supplying with gas light the borough of Tamaqua, in the county of Schuylkill, and such individuals residing therein and immediate vicinity, as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets, lanes, alleys and side-walks in the borough of Tamaqua and vicinity, for the purpose of laying pipes for the distribution of gas, as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them for the same purpose,



doing as little damage as possible to private property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men on oath, to be appointed by the court of common pleas of Schuylkill county, on the application of either party; and the said company shall have the like privileges as to re-laying or taking up or repairing the said pipes, as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches, and restore the said streets, lanes, alleys and side-walks, and the private property as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into ten hundred shares of fifty dollars each, with the right to increase said capital stock from time to time, as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not, at any time, exceed seventy-five thousand dollars.

SECTION 4. That the managers of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity, not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works; and to secure the payment of the same, shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section out of the receipts for gas, before any dividends shall be paid to the stockholders: *Provided*, That no bond, certificate, or other evidence of indebtedness shall be issued by said company, for a less sum than one hundred dollars.

SECTION 5. That the management and control of the Tamaqua gas company shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their numbers a president, treasurer and secretary, who shall meet from time to time, and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their numbers as aforesaid, a president, secretary and treasurer for said company: the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the number of votes that each stockholder shall be entitled to at such election, shall be according to the number of shares owned by such stockholder, to wit: For each share not exceeding two shares, one vote; for every two shares above two, and not exceeding ten shares, one vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting, which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and bona fide in his or her own right, or in the right of his wife, or



for his or her sole use and benefit, as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society, of which he or she may be a member.

Certificates to be  
procured.

SECTION 6. That the said company shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferrable at his or her pleasure, in person or by attorney duly authorized, in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Meetings of direc-  
tors.

SECTION 7. That the board of directors of said company, shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to purchase lands for the gas works and erect the same, to appoint all officers and employ such assistants as shall be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of the gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do such matters, acts and things as by this act and the by-laws of such corporation they are authorized to do.

Dividends.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the company as shall appear to them advisable, on the first Mondays of June and December of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Penalty for con-  
necting with gas  
main or other  
pipe

SECTION 9. That if any person or persons shall open a communication into the gas, main or other gas pipe of said company, without authority from the street inspector or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them the gas without authority aforesaid, he, she or they shall be subject to a penalty of not less than five nor more than fifty dollars, to be recoverable before any justice of the peace as debts of a like amount are by law recoverable, one-half to be paid to the informer and the other half to said company.

Penalty for injury  
to works.

SECTION 10. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine not exceeding five hundred dollars or be imprisoned not

exceeding one year, or both in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way *Proviso* impair the right of said company to a full compensation in damages by civil suit.

SECTION 11. That the price of gas furnished by said com- *Price of gas regu-*  
pany shall be so regulated, as that the dividends upon the capi- *lated.*  
tal stock of said company shall never exceed ten per cent. per annum.

SECTION 12. That the Legislature may at any time alter, *Reservation.*  
amend or repeal the privileges hereby granted: *Provided, how-*  
*ever*, That no injustice be done to the corporators.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hun-  
ded and fifty-four.

WM. BIGLER

No. 131.

## AN ACT

Erecting a third Ward of the borough of Easton, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Represen-*  
*tatives of the Commonwealth of Pennsylvania in General Assem-*  
*bly met, and it is hereby enacted by the authority of the same,* That  
all that part of the borough of Easton, in the county of Nor- *West ward erec-*  
thampton, west of the middle of Juliana street and south of *ted.*  
the Bushkill creek, be and the same is hereby erected into a  
separate ward, which shall be called "West Ward"

SECTION 2. That the said ward shall be a separate election *West ward made*  
district, and elect two justices of the peace, one constable, one *a separate elec-*  
judge and two inspectors of elections, and such other officers *tion district*  
as are elected by either of the other wards in said borough, and  
shall vote for all borough officers under the same regulations as  
the electors of the other wards of the said borough may by law  
vote for.

SECTION 3. That the first election for the officers of the said *Time for holding*  
ward and for borough officers as aforesaid, shall be held on the *first election.*  
third Friday of March in the present year, and annually there-  
after at the same time that the other ward and borough elec-  
tions are held in said borough, and that the place for holding  
such election, and all the general and special elections in and  
for said ward, shall be the public house now occupied by David  
S. Smith, in said ward, and that the said election shall be held  
and conducted by Owen Reich and John Stotzer, inspectors,  
and Charles Simons, judge, who shall have all the powers and  
perform all the duties, and be subject to all the regulations pre-  
scribed by law for judges and inspectors of elections, and it



shall be the duty of the high constable of said borough to perform the duties required by law of the constables of wards and townships, so far as relates to the first election in the said West Ward.

West ward to belong to the Eastern school district

SECTION 4. That the said ward shall belong to the eastern school district, and the returns of the elections of said ward so far as relates to borough and ward elections, shall be made in the same manner as the returns for the other wards of said borough are now by law made, and the return judge of said ward shall join with the other return judges of said county at the times and places fixed by law.

Officers not to be disqualified.

SECTION 5. That the officers of the boards of election of the other wards of said borough, shall not be disqualified from discharging their duties as such by reason of their residence being within the limits of the said West ward, erected by this act.

E. B. CHASE,

*Speaker of the House of Representatives,*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 132.

## AN ACT

To annul the marriage contract between Susan A. Bronson and Samuel M. Bronson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Susan A. Bronson and Samuel M. Bronson, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as fully, effectually and absolutely, as if they had never been joined in marriage.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 133.

## AN ACT

To erect the Borough of Zelienople into a separate election district; and relative to certain other Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Zelienople, in Butler county, be and the same is hereby erected into a separate election district, and all special and general elections provided for by law, shall be held at the council house in said borough, and that Christian Buhl shall act as judge, and John Levis and Henry Muntz as inspectors, (with power to fill vacancies,) to hold the first election after the passage of this act; and said judge and inspectors are hereby authorized and required to publish the usual notice for holding said election.

Borough of  
Zelienople erected  
into a separate  
election district.

SECTION 2. That the time for holding the township and borough elections for electing township and borough officers, now by general law authorized to be held on the third Friday in March, be changed so far as relates to Butler county, and that said elections be held on Friday, the twenty-eighth day of April next, for this present year only, the returns of which to be made to the next ensuing regular court held in said county; and that all township and borough officers now holding office in said county, shall continue to hold the same until superseded by subsequent election, as provided for in this section, and shall possess and exercise all the powers and duties of their respective offices, and be subject to all the restrictions and penalties in the discharge of the same, as fully as if elected at the regular general spring election.

Time for holding  
township elections  
in Butler county  
changed.

SECTION 3. That the qualified electors of the township of Knox, in the county of Clarion, shall hold their general and township elections at Fogelbockers school house in said township.

Knox township,  
Clarion county.

SECTION 4. That the election for township officers and justices of the peace, held in the township of Knox, Clarion county, on Friday the seventeenth day of February, A. D. one thousand eight hundred and fifty-four, be and the same is hereby legalized, and the persons then elected, after complying with the laws of this Commonwealth as in other cases, shall and may enter upon the discharge of the duties of the several officers to which they were elected, and the persons elected justices of the peace for said township, shall be commissioned by the Governor.

Election in Knox  
tp. legalized.

SECTION 5. That the township of Jackson, Union county, be and it is hereby erected into a separate election district, and the elections for said township shall be held at the school house, on lot number nineteen, in the borough of New Berlin; and that Adam Miller as judge, and Philip Gross and George Wike as inspectors, are authorized and appointed to hold the first election therein.

Jackson tp. Union  
county.

SECTION 6. That Samuel Beyer, junior, Samuel Pawling and Lewis R. Hummel, are hereby appointed and authorized to act as officers to hold the election on the third Friday of March,

Penns tp., Union  
county.

A. D. one thousand eight hundred and fifty-four, in the township of Penns, and county of Union; the said Samuel Beyer, junior, is hereby appointed and authorized to act as judge of said election, and the said Samuel Pawling and Lewis R. Hummel are hereby authorized and appointed to act as inspectors of said spring election.

Homer tp., Potter county.

SECTION 7. That the township and general elections in the township of Homer, in the county of Potter, shall hereafter be held at the house of James E. Quimby in said township.

Ohio tp., Allegheny county.

SECTION 8. That the general and township elections of Ohio township, Allegheny county, shall hereafter be held at the house of Henry V. Thompson in said township.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 134.

## AN ACT

Relating to Mutual, Savings, Loan, and Building Associations in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the powers of the court of common pleas of the county of Montgomery, under the provisions of the fourth, fifth, sixth, seventh and eighth sections of an act entitled "A supplement to an act to prevent waste in certain cases within this Commonwealth," passed the twenty ninth day of March, Anno Domini, one thousand eight hundred and twenty-two; to land and building associations, et cetera, passed the twenty-second day of April, one thousand eight hundred and fifty, as conferred by the tenth section of an act entitled "An act to incorporate the Independent Company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves, et cetera," passed the third day of April, one thousand eight hundred and fifty-one, be and the same are hereby extended to the granting charters of incorporations to associations therein mentioned, whose number of shares of stock shall not exceed twenty-five hundred, and the value of each share not exceeding that mentioned in the sixth section of the act first above mentioned.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 135.

## A N A C T

Providing for the expenses of publishing Legislative Union.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of thirteen hundred and eighty dollars be and the same is hereby appropriated, to pay to George M. Lauman and company the contract price for publishing the Daily Legislative Union, one-third of said sum to be drawn upon the passage of this act, one-third on or after the first of March next, and the balance when the contract shall have been concluded.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 136.

## A N A C T

Relating to the Collection of Taxes in Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in addition to the duties already required of the constables of Clarion county, by the provisions of an act entitled "An act to reduce the expenses of collecting State and county taxes in the county of Venango, et cetera," and extended to Clarion county by the sixth section of an act approved the fourth day of May, Anno Domini, one thousand eight hundred and fifty-two, that the constables aforesaid be and they are hereby authorized and empowered, to add five per centum to the amount of all unpaid taxes furnished them in the schedule of the treasurer of said county, and collect the same from the taxables as though the same had been regularly assessed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 137.

## AN ACT

Extending the provisions of the ninth section of an act, passed the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one, relative to Schools in the townships of Columbus, Pinegrove, Deerfield and Sugar Grove, in the county of Warren, to the township of Freehold in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the ninth section of the act of Assembly, passed the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one, relative to the levying of school taxes in the townships of Columbus, Pinegrove, Deerfield and Sugar Grove, in the county of Warren, and the same is hereby extended to the township of Freehold in said county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 138.

## AN ACT

For the Election of Poor Masters in Palmyra township, and fixing the place of holding elections in Preston township, Wayne county, and consolidating the several election districts in West Brunswick township, Schuylkill county, and regulating certain election districts in Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the qualified electors of the township of Palmyra, in the county of Wayne, shall annually at their township election elect two overseers of the poor, who shall hereafter discharge all the duties now devolving upon the supervisors relative to the poor of said township, and that so much of any law that conflicts with the provisions of this section, be and the same is hereby repealed.

Overseers of the  
poor to be elected  
in Palmyra tp.,  
Wayne county.

Preston tp.,  
Wayne county.

SECTION 2. That from and after the passage of this act, the qualified voters of the township of Preston, in the county of Wayne, shall hold their general and township elections at the public school house number eight, in said township.

SECTION 3. That from and after the passage of this act, the township election of the township of West Brunswick, Schuylkill county, shall be held at the public house of Joseph Marburger, in said township. West Brunswick tp., Schuylkill co.

SECTION 4. That from and after the passage of this act, the qualified electors of the township of Paupack, in the county of Wayne, shall annually at their township election, elect one overseer of the poor, who shall hereafter discharge all the duties now devolving upon the supervisors relative to the poor of said township, and that so much of any law that conflicts with the provisions of this section, be and the same is hereby repealed. Paupack tp., Wayne county.

SECTION 5. That the township and general election in the township of South Beaver, in the county of Beaver, shall be hereafter held at the house of John Rowe, in said township. South Beaver tp., Beaver county

SECTION 6. That the township and general elections in the township of Hopewell, county of Beaver, shall hereafter be held at the house of George R. Shannon, in said township, being in the village of New Scottsville. Hopewell tp., Beaver county

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 139.

## A SUPPLEMENT

To the act incorporating the House of Refuge of Western Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the further sum of twenty thousand dollars be and the same is hereby appropriated to aid in the completion and organization of the House of Refuge for western Pennsylvania, to be drawn upon the warrants of the Governor, when he shall be satisfied that the entire bona fide subscriptions from other contributors shall amount to forty thousand dollars, and the warrants shall only be drawn for amounts bearing the same proportion as the payments which may be made from time to time by such other contributors: *Provided,* That no more than five thousand dollars shall be drawn from the State Treasury, for the use above specified, in any one year.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 140.

## A SUPPLEMENT

To an act entitled "An act authorizing the Governor to incorporate the Shamokin Steam Ferry and Tow-boat company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors required by the third section of an act entitled "An act authorizing the Governor to incorporate the Shamokin Steam Ferry and Tow-boat company," approved the third day of April, Anno Domini, one thousand eight hundred and forty-six, and to which this is a supplement, be reduced from nine to five.

SECTION 2. That the said act be and is hereby extended for a period of fifteen years from the passage of this act, and that the proviso in the seventh section of the act of Anno Domini, one thousand eight hundred and forty-six, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 141.

## AN ACT

Appropriating Certain Monies to be expended upon the North Branch Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of fifty-seven thousand dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to be applied to expenditures on the North Branch canal, between Pittston and the State line, thirty-seven thousand dollars thereof for the construction of two and five-eighths miles of said canal next the State line, and twenty thousand dollars to the general construction fund, for cleaning out the canal, introducing water and



mending breaches; the amount hereby appropriated to be deducted from the general appropriations for the North Branch division.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 142.

### AN ACT

To confirm the official acts of Jacob B. Coates, an Alderman of the County of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the official acts of Jacob B. Coates, who was duly elected alderman for the first ward, Northern Liberties, in the county of Philadelphia, on the eighteenth day of March, Anno Domini, one thousand eight hundred and fifty-three, shall be as good and valid in law, as though his commission had been issued and received by him within the time prescribed by existing laws.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 143.

### AN ACT

To authorize the trustees of the Mahoning Presbyterian English Congregation to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Mahoning Presbyterian English congrega-

tion be and they are hereby authorized to borrow or obtain on loan, such sum or sums of money and on such terms as they shall deem expedient, not exceeding in the whole five thousand dollars, and to secure the payment of the same, the said trustees are hereby authorized to execute a bond or bonds for the amount or amounts which they shall so borrow or obtain on loan, and also further to execute to the person or persons, or body corporate from whom they shall borrow said money, a mortgage or mortgages upon any real estate belonging to, or owned by the trustees of the Mahoning Presbyterian English congregation aforesaid: *Provided*, That no bond issued under the provisions of this act, shall be for a sum less than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 144.

# AN ACT

Authorizing the Burgess and Town Council of Bridgeport, Montgomery county, to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the burgess and town council of Bridgeport be, and they are hereby authorized and empowered to borrow, on the credit of said Bridgeport, any sum or sums of money not exceeding twenty-five hundred dollars, and to issue bonds or certificates of indebtedness therefor, under the corporate seal of said borough of Bridgeport, attested by the burgess and secretary for the time being, of not less amount than one hundred dollars each, payable at the expiration of five years, or any shorter period, at the discretion of said burgess and town council, from the date of issue, at a rate of interest not exceeding six per centum per annum, which interest shall be payable annually to the holder or holders of such bond or bonds, certificate or certificates; and the said burgess and town council shall have authority from time to time, and as often as the same may be necessary, to raise by taxation, in the manner pointed out by existing laws for that purpose, such sum or sums of money as will be necessary to pay off the principal and interest of said bond or bonds, certificate or certificates: *Provided*, That such money, when

borrowed, shall be applied to the payment of the present indebtedness of said Bridgeport, and toward the future improvements of the streets, lanes and alleys of the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 145.

## A SUPPLEMENT

To an act entitled "An act relative to the estate of Kenneth J. Forsyth.

WHEREAS, Kenneth J. Forsyth, by his will dated April nine-  
teenth, one thousand eight hundred and forty-three, duly proved  
and registered at Philadelphia, devised to Joseph W. Forsyth,  
his executor therein named, all the real estate to which he had  
any title, claim or right, whether in severalty or with others in  
trust, as therein set forth, and gave said executor power to grant,  
bargain and sell all the interest he had to any of said real estate,  
when it should be discreet to do so by reason of the rise in the  
value thereof, or for any good causes, and the avails thereof to  
invest in good mortgages or ground rents, and *so toties quoties*. Preamble.

*And whereas,* The said Kenneth, in his life time, was in partnership with William Wright and John C. Hunter, and the three held together as tenants in common, certain real estate in Philadelphia aforesaid, some of which was held in the name of all three of said persons, and some in the name of said Hunter only, but for the benefit of the three.

*And whereas,* After the death of the said Kenneth J. Forsyth, the said William Wright and John C. Hunter, and the said Joseph W. Forsyth, executor as aforesaid, for the purpose of making an equitable division and partition of said property, made an agreement dated June seventeenth, one thousand eight hundred and forty-six, recorded at Philadelphia, in deed book A. W. M., number fifteen, page two hundred and forty-three, et cetera.

*And whereas,* In order further to effect said partition, the said William Wright and John C. Hunter and wives, by two several deeds of same date recorded respectively at Philadelphia, in deed-book A. W. M., number forty-two, page two hundred and sixty, et cetera, and in deed-book \_\_\_\_\_ number \_\_\_\_\_ page \_\_\_\_\_ et cetera, granted and conveyed to said Joseph W. Forsyth, executor aforesaid in fee in trust, for the same use,



intents and purposes as are set forth and contained in said will, and with powers, privileges and restrictions in said will mentioned of and concerning said testator's real estate, two full equal undivided third parts of three adjoining lots of ground on the east side of Thirteenth street, between Brown and Parrish streets, and of and in a certain lot or piece of ground situate at the northwest corner of Poplar and Ontario streets: And the said John C. Hunter and wife, by two separate indentures of same date, recorded respectively at Philadelphia in deed-book A. W. M., number forty-two, page two hundred and fifty-four, et cetera, granted and conveyed to the said Joseph W. Forsyth, executor as aforesaid, in fee in trust as aforesaid, and with like powers, privileges and restrictions, two adjoining messuages and lots of ground in Pine street, east of Broad street.

*And whereas,* After the making of the said several indentures the said Joseph W. Forsyth, executor as aforesaid, hath granted and conveyed divers parts and portions of said properties to divers persons, in fee simple, with and without reservation of a ground rent or ground rents, and in one instance received from a party to whom he had conveyed on ground rent, a reconveyance in fee, for the purpose of merging said ground rent.

*And whereas,* Doubts have been raised as to the power of said executor to sell in fee simple, reserving a ground rent, and whether he was competent to take real estate by way of purchase, or join in said partition with said Wright and Hunter, and whether the power of sale included the property so purchased, or whether it was confined to the one undivided third part whereof the testator died seized, and whether any purchaser from said executor was liable for the application of the purchase money.

*And whereas,* By reason of the existence of those doubts, the said executor has found it difficult to sell any of said real estate, and persons to whom he has sold with or without reservations of ground rent, have in turn found it difficult to sell what they bought, or borrow money by mortgage thereof:

*And whereas,* The Legislature of this Commonwealth, by an act passed on the thirteenth day of March, one thousand eight hundred and forty-seven, entitled "An act relative to the estate of Kenneth J. Forsyth," confirmed and made valid the title of the said William Wright and John C. Hunter, to the parts and portions so conveyed to them by the said Joseph W. Forsyth, executor as aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the titles of the said Joseph W. Forsyth, executor, as aforesaid, as derived from the said Wright and Hunter, and each of them, and of all persons to whom the said Joseph as such executor has since conveyed, and all and every person lawfully claiming by, from or under them or any of them, to the several pieces of real estate so conveyed to said Joseph by said Wright and Hunter, shall be and the same are hereby confirmed and made valid to all intents and purposes, as if at and before the execution of said agreements, the said Joseph as such executor had full power and authority to receive and take such real estate, and that all conveyances heretofore made or hereafter to be made by him of said estate, with or without reservations of ground rent, shall be held and deemed good and valid to all in-

Title confirmed.

tents and purposes whatever, and without any liability of any purchaser to see to the application of any of the purchase money.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This sixteenth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 146.

## AN ACT

To repeal certain laws relating to Roads in the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act passed the fourth day of March, one thousand eight hundred and fifty, extending certain road laws to Wyoming county; and also the eighth section of the act, entitled "An act to incorporate the Burlington plank road company; to extend certain road laws to certain townships of Wyoming and Susquehanna counties," passed the eighth day of April, one thousand eight hundred and fifty-one, be and the same are hereby repealed, so far as they apply to the county of Wyoming, and that all laws of this Commonwealth altered or supplied by this section, and any general acts applying to roads within this Commonwealth since passed, are hereby revived and adopted within the said county of Wyoming.

SECTION 2. That at the township elections the qualified citizens of said county shall elect two persons as supervisors for each township, who shall hold their office for the term of one year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 147.

## AN ACT

Relative to the Strasburg and Willow Street Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Strasburg and Willow Street turnpike road company to construct a plank road, or a road partly of plank and partly of stone, in lieu of the road authorized to be constructed by their act of incorporation, approved the ninth day of February, one thousand eight hundred and fifty-three.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 148.

## AN ACT

To incorporate the Willow Street and Pequea Valley Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Martin Huber, Samuel Stouffer, Levi Huber, Benjamin Snevely, Abraham B. Mylin and Samuel Charles, are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Willow Street and Pequea Valley turnpike or plank road company," with power to construct a turnpike road from the terminus or south end of the Willow Street turnpike road, by the nearest and best route along the old road, so as to straighten some few curves, to the foot of John Beam's hill, at or near the turn; from thence to a point near Stouffer's barn on said old road; from thence by Pequea valley, in Pequea township, to Martin Huber's mill in Providence township, Lancaster county, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Commissioners.

Style.

Privileges

Subject to provisions of certain act.



SECTION 2. That the capital stock of said company shall consist of five hundred shares at twenty-five dollars per share: *Capital stock.*  
*Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as may be necessary in their opinion to carry out the true intent and meaning of this act. *Proviso.*

SECTION 3. That whenever the said company shall have finished the said turnpike road, the length whereof being less than five miles, the same proceedings may be had to enable the company to erect and fix gates upon and across the same, and collect tolls as is provided in the aforesaid act of Assembly, in relation to any five miles of a turnpike road finished. *Collection of tolls.*

SECTION 4. That the said company shall have power to extend their road southward as far as the Brick Tavern, in Drumore township, by the nearest and best route: *Provided,* Such extension be made within ten years after the passage of this act. *Extension of road.*

SECTION 5. That the said company shall commence said road within three years and finish it within the space of ten years, and failing so to do, the provisions of this act shall be null and void. *Commencement and completion of road.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A.D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 149.

## AN ACT

To authorize the Canal Commissioners to examine the claim of Arthur Roney, of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized and required to examine the claim of Arthur Roney, of Blair county, for damages for the loss of the canal boat Lydia, at Clark's Ferry, on the seventh day of November, Anno Domini, one thousand eight hundred and fifty, and if the said Commissioners on such examination, shall find that said canal boat was lost in consequence of the negligence, inattention or misconduct of the agents of the Commonwealth, they shall report the amount of the damages if any, together with a statement of the facts to

the Legislature, which finding shall be established by the affidavits of disinterested persons.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 150.

## AN ACT

Relative to the Pittsburg and Steubenville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittsburgh and Steubenville railroad company is hereby authorized to issue its bonds, secured by mortgage or otherwise, heretofore by law authorized, bearing any rate of interest not exceeding seven per cent., and any sale of said bonds for a less amount than their par value, shall not be construed to be a violation of the usury laws of this State*

SECTION 2. That the Pittsburgh and Steubenville railroad company be and it is hereby authorized and empowered to make any bonds or certificates of loan, which it has heretofore been authorized to issue for the construction and equipment of its road, convertible into the stock of its company at par, or on such terms as may be agreed upon.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 151.

## AN ACT

Relating to the Kittanning Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the commencement and completion of the Kittanning bridge shall be extended five years from and after the passage of this act. Time extended.

SECTION 2. That the stock of the said bridge company, and the bonds of Armstrong county and boroughs, given in payment of subscription to the capital stock of said company, shall not be subject to taxation until the expiration of ten years from and after the completion of said bridge for public use, except for State purposes. Bonds not subject to taxation.

SECTION 3. That the bridge to be built by the said company, shall be elevated above the surface of the water not less than five feet exceeding the height of the aqueduct at Freeport, and the fifty-second section of an act of General Assembly entitled "An act authorizing the Governor to incorporate the Mahoning, Kittanning and Freeport turnpike road company," and for other purposes, passed the second day of April, A. D., eighteen hundred and thirty-eight, are hereby repealed and annulled. Bridge to be elevated above the surface of the water not less than five feet.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 152.

## AN ACT

To incorporate the Big Muncy Creek and Laporte Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael Mylert, Robert Taylor, James Deegan, Edward Lyon, John Milton Hawley, Jacob Opp, George Courson, Daniel Clapp, Thomas Lloyd, A. J. Dietrick, John B. Linn, William A. Mason, or any five of them be and are hereby appointed commissioners. Commissioners.



- Style.** to open books, receive subscriptions, and organize a company by the name, style and title of the Big Muncy Creek and Laporte plank road company, with power to construct a plank road from the town of Laporte, in Sullivan county, down Big Muncy creek, to intersect the Penns plank road at the bridge over Muncy creek, near Lyon's tannery; to which point the said
- Subject to provisions of certain act.** Penns plank road are authorized to extend their road, subject to all the provisions and restrictions of an act regulating plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act.
- Capital stock.** SECTION 2. The capital stock of said company shall consist of eight hundred shares at twenty-five dollars per share, with power to increase the number of shares to twelve hundred, should it be found necessary.
- Extension of certain provisions.** SECTION 3. That the provisions of the ninth section of the act of Assembly, approved the eighth day of April, Anno Domini, one thousand eight hundred and fifty-one, entitled "An act fixing the rate of tolls to be charged upon the Larry's Creek plank road company," are hereby extended to the said Laporte and Big Muncy Creek plank road company, and to the company with which it intersects.
- Powers.** SECTION 4. That said company or companies shall have a right to construct their roads upon any of the public roads or streets between the points specified, and if they shall not commence the construction of their road within two years after the passage of this act, and finish the same within five years, then this act to be null and void, except so far as it shall be necessary to wind up the affairs of said company: *Provided*, That before said company or companies shall take, use or occupy any part or the whole of any public road or street in the county of Lycoming, if they cannot agree with the supervisors or town council of any township or borough through which the same may pass, upon the compensation to be paid them for the use of said road or street, it shall be lawful for the company desirous of occupying the same, to file a bond with surety, in such sum as may be approved by one of the judges of the courts of quarter sessions of Lycoming county, in the office of the clerk of said county, conditioned for the payment of the damages, if any be awarded, for the use of said road or street; and upon the application of either party to one of the judges of the court of quarter sessions of said county, he shall appoint three disinterested persons as viewers, who, after giving due notice, and after being sworn and affirmed, shall estimate the damage, if any has accrued to said township and borough by the use of said road or street by said company: *Provided*, They shall estimate
- Proviso.** the advantages to said township or borough by the construction of said plank road, and if any damages be awarded, they shall make a report in writing, with a statement or estimate of the same, which if confirmed by said court, the amount shall be paid by said company, within sixty days, to the supervisors for the use of the township.
- Further privilege.** SECTION 5. That if the Big Muncy Creek and Laporte plank road company shall not have completed the whole road contemplated by the act of their incorporation within the time therein named, then, and in that case, the said company shall have as full authority over the part completed by them, as though they

had completed the whole road authorized by said act: *Provided*, <sup>Proviso</sup> That whenever two or more miles of said road shall be completed and approved of, as is provided by the general act and the supplements thereto, the said company shall be authorized to take toll therefor.

SECTION 6. That should the Big Muncy Creek and Laporte plank road company construct, and fully complete so much of their road as lies between Lyon's bridge, the point of intersection or connection with the Penns plank road company and Georgetown, at or near the out-let of Lewis' lake on said creek, within the period of five years from and after the passage of this act, then, and in that case, they shall be and are hereby authorized and empowered to make an equitable agreement with the Penns plank road company for the purchase of said road; and upon such agreement being had and concluded, they shall be and hereby further authorized and empowered to consolidate and control both of said roads, under the name, style and title of the "Penns, Muncy Creek and Laporte plank road company."

Power to make agreement with the Penns plank road company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 153.

## A FURTHER SUPPLEMENT

To the act incorporating the Gettysburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time in which the Gettysburg railroad company are now by law required to select or choose the eastern terminus of their road, be and the same is hereby extended for the term of two years from and after the expiration thereof.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 154.

## AN ACT

Authorizing a Special Tax in the City of Erie.

Power to levy a  
tax

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the select and common councils of the city of Erie shall have power to cause to be levied and assessed upon all taxable property, trades, occupations and professions in said city, a special city tax of any rate per cent., not exceeding in any one year seven mills on a dollar of the valuation of such property, trades, occupations and professions, in addition to the amount now authorized by law to be levied and assessed.

To be assessed  
and collected as  
other corporation  
taxes.

SECTION 2. That all levies and assessments by virtue of this act, shall be assessed and collected in the same manner as other corporate taxes are now by law assessed and collected in said city, and may be included in the same or other duplicates of assessment, and when collected shall be paid into the city treasury, and shall be paid out under and by authority of resolutions of councils, in the usual manner for the payment of any indebtedness of the city which has been contracted or may hereafter be contracted, for purposes of general utility, benefit and improvement of said city, under the discretion of the councils, and shall be accounted for and audited in the manner now provided for by law.

Power to continue  
for two years.

SECTION 3. That the power conferred upon the said councils by this shall continue in force for two years and no longer.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 155.

## A SUPPLEMENT

To an act entitled "An act for the establishment of a College at Easton, in the county of Northampton, approved the ninth day of March, one thousand eight hundred and twenty-six"

Vacancies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a vacancy shall occur by death, resignation or otherwise in the board of trustees or faculty of Lafayette college, it



shall be lawful for the synod of Philadelphia of the Presbyterian church, upon being notified of the same, to nominate two persons for each vacancy so occurring, and that it shall be the duty of the remaining trustees to elect from such nominees one person to fill each of said vacancies, and that it shall not be lawful for them to elect other than upon such nominations by said synod, except in case of a vacancy or vacancies occurring in the faculty, when it shall be lawful for the said trustees to fill such vacancy until nominations shall be made by the synod, and also except in case or cases where the said synod shall fail to nominate for the space of one year, after being notified of the occurrence of a vacancy or vacancies in said board of trustees.

SECTION 2. That it shall be lawful for the synod of Philadelphia, of the Presbyterian church to appoint annually five visitors for the said college, and that the said visitors shall have power to inquire into the state of the said college as to education, morals and all other matters involving the interests of the same, and that it shall be lawful for the said board of trustees, by a vote of a majority of a quorum of the same, to dismiss any officer of the said college, whether principal, professor or tutor, upon a request made to them in writing to that effect, by a majority of the said board of visitors. Five visitors.

SECTION 3. That the said trustees shall make an annual report to the said synod of the state of the finances and general condition of the college. Annual report.

SECTION 4. That any and every section of the act to which this is a supplement and inconsistent with these amendments, be and the same is hereby repealed. Repeal.

E. B CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 156.

## AN ACT

To incorporate the Skippack and Salfordville Turnpike Road Company, in Montgomery county

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That Philip S. Gerhart, Amos Hendricks, William Johnson, Charles Hendricks, Henry Lederock, Francis B. Poley, George C. Reiff, Jesse Gable, Garret Kulp, Benjamin Tyson, Jacob O. Zigler, Michael Alderfer, Abraham Zigler, Benjamin Alderfer, Abraham Commissioners

Style.	Roudenbush, Jacob K. Smith, Michael Hartzell and George Trout, of Montgomery county, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Skippack and Salfordville turnpike road company," with power to construct a turnpike road, commencing at the termination of the Skippack turnpike road at or near Centre Square, in Montgomery county, and extending thence along the Skippack road through the villages of Skippackville, Lederachville and Salfordville, and to intersect the Sunnyside and Springhouse turnpike road about one mile south of Sunnyside, in Upper Salford township, in said county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.
Privileges.	
Subject to provisions of certain act.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of six hundred shares at twenty-five dollars per share: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock so much as, in their opinion, may be deemed necessary to complete the road, and carry out the true intent and meaning of this act.
Proviso.	
Commencement and completion of road.	SECTION 3. That if said company shall not commence the construction of their road within two years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.
Suspension.	SECTION 4. That so much of the proviso in the first section of the act of Assembly, passed on the twenty-seventh day of May, one thousand eight hundred and forty, as prohibited the Ridge turnpike company from continuing and maintaining any gate or toll house within the limits of any borough in the county of Montgomery, and from taking tolls at the same, and all fines and penalties thereto attached, be and the same are hereby suspended for the space of one year from the date of the passage of this act.
Repeal.	SECTION 5. That so much of the eighth section of the act, entitled "An act to incorporate the Plymouth and Upper Dublin turnpike road company, and for other purposes," approved the fifteenth day of April, Anno Domini, one thousand eight hundred and fifty-three, as allows or permits the Greenlane and Goshenhoppen turnpike company to demand and receive toll from persons going to and returning from public worship, is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CALLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 157.

## AN ACT

To authorize the Town Council of the borough of Pottsville to enlarge and open a certain street in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the town council of the corporation of the borough of Pottsville, in the county of Schuylkill, shall have the power and authority and it is hereby enjoined and required, to lay out, enlarge and open Second or Adams street, between Norwegian and Mahantongo streets, in said borough of Pottsville, so that the said Second or Adams street shall be laid out and opened of the width of forty feet through said block or square of ground: *Provided, That* any damages which may be sustained by the owner or owners of any of the lots of ground through which the said Second street shall be opened as aforesaid, shall be assessed and adjusted agreeably to the provisions of the second section of the act of the General Assembly of Pennsylvania, passed the fourteenth day of March, Anno Domini, one thousand eight hundred and fifty, entitled "An act to authorize the town council of the borough of Pottsville to enlarge Logan's court, and to open and enlarge an alley between Second and Centre streets, in the borough of Pottsville, Schuylkill county; in relation to streets in Freeport and Easton; and in relation to a private railroad in Phoenixville; and to vacate a certain road in the borough of Northumberland."

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 158.

## AN ACT

Authorizing the Canal Commissioners to convey title to John Ransom.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Canal Commissioners are hereby authorized and empowered



to execute a deed of conveyance, under their seal of office, to John Ransom, his heirs and assigns, for the mills and land sold to him, upon the full payment of the purchase money therefor, in pursuance of the provisions contained in the twenty-fourth section of an act entitled "An act to provide for the ordinary expenses of government, the repair of the public canals and railroads, and other general and special appropriations," approved the fifteenth day of April, Anno Domini, one thousand eight hundred and fifty-one; the proceeds of said sale to be paid into the State Treasury.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 159.

## A N A C T

To confirm the Title of the First Cumberland Presbyterian Church of Philadelphia, to a lot of ground with the church erected thereon, situate on the east side of Franklin street, in the district of Spring Garden, in the county of Philadelphia.

WHEREAS, By an act of General Assembly of this Commonwealth entitled "An act to authorize the second associate Presbyterian congregation of Philadelphia, to sell and convey certain real estate," approved the twenty-eighth day of January, Anno Domini, one thousand eight hundred and fifty-one, the trustees of the second associate Presbyterian congregation of Philadelphia, were authorized and empowered to sell, grant and convey, and to make and execute a good and sufficient conveyance and assurance at law to the purchaser or purchasers thereof, all the right, title, interest and estate of said trustees and congregation, in a lot of ground with the church erected thereon, situate on the east side of Franklin street, formerly Lawrence street, at the distance of ninety-eight feet, one and a quarter inches northward from the north side of Green street, containing in front on said Franklin street, fifty-two feet, and extending in depth eastward on the south line one hundred and four feet seven one-half inches, and on the north line ninety-nine feet and four inches, in the district of Spring Garden, in the county of Philadelphia, and the proceeds of sale should be for the use of the said second associate Presbyterian congregation.

*And whereas,* It appears by the charter of the said congregation, that the name and style thereof is erroneously named in the said above recited act of Assembly, that the true name and style should be the second associate Congregation of Philadel-

phia, and not the second associate Presbyterian congregation of Philadelphia, as named in said act of Assembly.

*And whereas*, The said second associate congregation of Philadelphia, in pursuance of the said above mentioned act of Assembly, bargained and sold the said lot of ground with the church erected thereon, and by deed dated the first day of March, Anno Domini, one thousand eight hundred and fifty-one, recorded at Philadelphia, in deed-book T. H., number thirty-two, page three hundred and eighty-six, et cetera, the trustees thereof granted and conveyed the same unto the first Cumberland Presbyterian church of Philadelphia, their successors and assigns forever.

*And whereas*, Doubts have been entertained as to the power of the said the second associate congregation of Philadelphia, to sell and convey the said premises by virtue of the said above mentioned act of Assembly, in consequence of the misnomer in the style of said corporation, and it is proposed that their title should be confirmed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the bargain and sale so as aforesaid made, and the deed made the first day of March, Anno Domini, one thousand eight hundred and fifty-one, by the said the second associate Congregation of Philadelphia to the said the first Cumberland Presbyterian church of Philadelphia, shall be held and taken to be good and valid, and of the same force and effect as if the style of said congregation had been correctly stated and set forth in the said above recited act of Assembly, and the title to the said lot of ground with the church erected thereon, be vested and confirmed absolutely in the said first Cumberland Presbyterian church of Philadelphia, their successors and assigns.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 160.

## A FURTHER SUPPLEMENT

To an act to incorporate the Allegheny Coal Company, passed the twenty-fifth May, one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said company shall be known and styled as the "Union Name changed

Coal and Iron company," and in addition to the privileges heretofore granted them, shall have and enjoy the privilege of making iron from ore and coal upon the lands belonging to said company, and the same to manufacture into rails and bars, and such other materials as they may think proper.

Tax to be paid to the State.

SECTION 2. That in lieu of the taxes now required to be paid by said company, it shall pay to the State Treasurer, for the use of the Commonwealth, a tax of one half of one per centum on the capital stock thereof in five equal annual instalments, the first of which shall be paid in one year from the passage of this act, and a like tax upon any increase of stock which may hereafter be made by said company, such additional tax to be paid within one year after such increase of stock shall have been made.

Privileges extended.

SECTION 3. That the corporate privileges hereby granted, shall be extended for a period of ten years from and after the time at which they would expire under the act to which this is a supplement; and so much of said act or any other act of Assembly as is inconsistent with the provisions hereof, be and the same is hereby repealed, so far as the same relates to this company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 161.

## A SUPPLEMENT

To an act, entitled "An act to Charter the Allegheny and Manchester Plank Road Company," passed May sixth, one thousand eight hundred and fifty.

Preamble.

WHEREAS, The Allegheny and Manchester plank road company have, at a great expense, graded that portion of their road which passes through the corporate limits of the city of Allegheny, but are not permitted by said city to erect a gate for the collection of toll within the limits of said city; therefore,

Surrender.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny and Manchester plank road company be and they are hereby authorized to surrender to the city of Allegheny that portion of their road lying within the corporate limits thereof, and remove therefrom the plank and sills laid by them on said road; and that if said company shall, by vote of the board of managers, elect to surrender said portion of their road to said city, they shall, so soon as they have removed the plank and sills therefrom, notify the mayor of said city of such surrender,



whereupon the said company shall be relieved and discharged from any further charge, care, or responsibility over or concerning that part of the said road.

SECTION 2. That nothing herein contained shall be construed <sup>Tolls</sup> to prevent the said Allegheny and Manchester plank road company from charging toll at the rate provided in the act, entitled "An act regulating turnpike and plank road companies," passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, on so much of their road already constructed, or hereafter to be constructed, as lies outside of the corporate limits of said city of Allegheny.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM BIGLER.

No. 162.

## AN ACT

To change the place of holding elections in Elkland township, Tioga county, and relative to certain other election districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of Elkland township, in the county of Tioga, shall hereafter hold their general, special and township elections at the Rathbon school house, near the house of Henry Rathbon, in said township. Elkland township  
Tioga county.

SECTION 2. That the township of Summit, in the county of Potter, shall hereafter constitute a separate election district, and the elections in said township shall be held at the house of W. C. Butterworth. Summit township,  
Potter county.

SECTION 3. That the township elections for the present year shall be held on the first Monday in May next, at which election W. C. Butterworth shall be the judge, and George Ayres and Ira Nelson the inspectors, due notice of the same to be given by the said W. C. Butterworth. Officers.

SECTION 4. That all that part of Shirley township, Huntingdon county, lying and being within the following described boundaries, namely: beginning at the intersection of Union and Shirley township lines with the Juniata river, on the south side thereof; thence along said Union township line for the distance of three miles from said river; thence eastwardly by a straight line to the point where the main from Eby's mill to Germany valley, crosses the summit of Sandy ridge; thence northwardly along the summit of Sandy ridge to the river Juniata, and thence up said river to the place of beginning, shall hereafter form a separate election district. Part of Shirley  
township, Hun-  
tingdon county,  
erected into a new  
election district.

Place of holding  
elections fixed.

SECTION 5. That the qualified voters of said election district, shall hereafter hold their general and township elections in the public school house in Mount Union, in said district, that Samuel Eby is hereby appointed judge, and Doctor Alfred B. Lee and Samuel Miller, esquire, are hereby appointed inspectors of said election, to perform the duties of their several offices until a judge and inspectors are duly elected, in accordance with the election laws of this Commonwealth.

Juniata township,  
Blair county.

SECTION 6. That the general and township elections of Juniata township, Blair county, shall hereafter be held at the house owned and the property of the late Frederick Stiffler, deceased, in said township.

Sewickly town-  
ship, Allegheny  
county.

SECTION 7. That the general and township elections for the township of Sewickly, Allegheny county, be held at the house of Samuel Richie, of said township, and that the citizens of said township be and they are hereby empowered to elect a treasurer for said township, as is now by law permitted in Ohio township, and that Samuel Logan shall act as judge, and Samuel Neely and James McClelland, shall act as inspectors of the elections aforesaid, until their successors shall be duly elected, and that the judge and inspectors and other officers elected at the late township elections, be and the same is hereby confirmed and made valid.

Messhoppin town-  
ship, Wyoming  
county.

SECTION 8. That if the new township Messhoppin, in the county of Wyoming, shall be absolutely confirmed by the court, the place of holding the general and township elections shall be held at the public house of Daniel Hawkinson, in said township; if the said township shall not be absolutely confirmed, then all that district set off by the commissioners appointed by the court of quarter sessions of said county, shall be a separate election district, and the elections shall be held at the place above specified; that at the approaching election Calvin Steeling shall be judge of the same, and P. O. Dunlap and S. D. Potter, inspectors, and conduct said elections, and that the place of holding the township and general elections hereafter for the township of Braintrim, in the county of Wyoming, shall be at the public house formerly occupied by T. D. Spring, in Laceyville, and that the judge and inspectors now elected for the said township of Braintrim, shall hold and conduct said election the same as though the said new township of Messhoppin had not been erected and established.

Columbus town-  
ship, Warren  
county.

SECTION 9. That the qualified electors or voters of the township of Columbus, Warren county, shall hereafter hold their general and special elections at the house of George Cady, in the borough of Columbus.

Ligonier town-  
ship and borough  
of Ligonier, West-  
moreland county.

SECTION 10. That the elections for Ligonier township and the borough of Ligonier, in Westmoreland county, be hereafter held at the house now occupied by Philip Miller, in said borough.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 163.

## A N A C T

To authorize County Appropriations to certain Charitable Institutions in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the councils of the enlarged city of Philadelphia to make appropriations from the treasury of said city annually, from time to time, not exceeding in any one year the following sums, to wit: For the Northern Home for friendless children, three thousand dollars; for the Foster Home association, one thousand dollars: Provided, The councils shall be satisfied that the amount so appropriated will, eventually, be saved by such institution to the tax payers of the county, in the education and maintenance of children who might become objects of public charge.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 164.

## A N A C T

For the relief of Lewis Durnall.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners be and are hereby authorized to examine into the injury alleged to have been sustained by Lewis Durnall, of Chester county, by reason of his horse becoming entangled between the guard and rail at the place where the public road crosses the Philadelphia and Columbia railroad at Downingtown, and if they shall clearly ascertain that the accident was caused by any defect in the construction of the railroad belonging to the Commonwealth, they shall ascertain the amount*



of the damage and report the same, together with a statement of the facts, to the Legislature.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 165.

## AN ACT

Relating to the Farrandsville Company.

Power to borrow  
money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Farrandsville company be and are hereby authorized to borrow money, and to issue their bonds therefor, in sums of not less than five hundred dollars each, at such rates of interest, and on such terms as may be determined by the board of directors; and to secure the payment of the same, to execute and deliver to such trustee or trustees as they may select, a mortgage or mortgages of all or any part of their estate, real or personal, rights, liberties and franchises; and further, if they think proper, the said bonds may be made convertible into the stock of the company at par, which stock they are authorized to issue when required, in addition to their present stock; and said company are authorized to sell and dispose of said bonds within or beyond this Commonwealth, at such rates above or below par as may be agreed upon between the said parties: Provided, That the stockholders in said company shall not be liable in their individual capacities and estates, for money borrowed or bonds issued in pursuance of the provisions of this act.*

Proviso

Authority to hold  
lands.

SECTION 2. That said company be and they are hereby authorized to purchase and hold timber and other lands, not exceeding the quantity that may be required to furnish wood for charcoal, or for other purposes of their business, and the same from time to time to sell and convey in fee, or for any less estate.

Authority to  
make railroads.

SECTION 3. That said company shall have power and authority to construct and maintain a railroad or railroads, with one or more tracks, from any point on their lands, so as to connect the same with the West Branch canal, the West Branch of the Susquehanna river, or with any other railroad along said river, at such point or place in the county of Clinton, as they may deem most convenient; such railroad to be constructed in accordance with an act regulating railroad companies, approved the twentieth

day of July, Anno Domini, one thousand eight hundred and forty-nine.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 166.

### AN ACT

For the relief of Mary Ewing, the widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the State Treasurer be and he is hereby required to pay Mary Ewing, widow of James Ewing, of Indiana county, and an old soldier of the Indian war, or her order, an annuity of forty dollars annually during the term of her natural life, payable half-yearly, commencing on the first day of January, Anno Domini, one thousand eight hundred and fifty-four.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty four.

WM. BIGLER

No. 167.

### AN ACT

To incorporate the Lehigh Mountain Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That John Apple, George Probst, W. H. Blumer, William Frey, Commissioners Charles Wittman, Joseph May and David Snyder, or any three of them be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Lehigh Mountain turnpike Style company," with power to construct a turnpike road, commen-*

cing at some convenient point in the township of Upper Saucon, in the county of Lehigh, in the road leading from Allentown in said county, to the city of Philadelphia, south of the Lehigh or South mountain, and north of the dwelling house of Charles Wittman, and extending thence by the best and most practicable route over said mountain, to some convenient point on the aforesaid road north of the said Lehigh or South mountain, and south of the tavern of John Apple, in the township of Salisbury, county of Lehigh aforesaid, subject to all the provisions and restrictions, and with all the powers and privileges contained in an act regulating turnpike and plank road companies, approved the twenty-sixth of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto: *Provided*, That said company may extend said road to the stone bridge over the Little Lehigh river, which connects said township of Saltzbury with said borough of Allentown, if said company shall deem it expedient so to do.

*Route.*

*Subject to provisions of certain act.*

*Proviso.*

*Use and occupation of public road.*

SECTION 2. That it shall be lawful for said company to use and occupy any portion of the aforesaid public road leading from Allentown to the city of Philadelphia, or of any other roads on the route of said proposed turnpike, and locate their road upon the ground occupied by said road or roads, and the court of quarter sessions shall have power to appoint viewers to view and vacate such parts of any roads as shall be used or rendered useless by the said company, as is provided by the general road laws of this Commonwealth in the cases of roads which have become vacant.

*Capital stock.*

*Proviso.*

SECTION 3. That the capital stock of said company shall consist of one thousand shares, at ten dollars per share: *Provided*, That the said company may, from time to time by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 168.

## AN ACT

To incorporate the Summit Plank Road Company.

*Commissioners.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That Nathan Patterson, Stephen Jones, Ira Cortright, John S. Boyer,



John Leisenring, John Anderson, Robert Ratcliffe, Rowland Jones, Francis F. Kolb, Abraham Harris, Richard Sharp, John Winders'ein, James M'Clain and Michael Beard, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style and title of The Summit Plank road company, with power to construct a plank road from the borough of Tamaqua, in Schuylkill county, to the village of Summit Hill, in Carbon county, on the bed of the present public road or otherwise, by the best and most feasible route, as the said company may direct, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, as far as they are not inconsistent with this and the following sections: *Provided*, That this act shall not be so construed as to authorize the said company to construct a turnpike road.

Style.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares at twenty-five dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road or roads, and to carry out the true intent and meaning of this act.

Capital stock.

Proviso.

SECTION 3. That if the said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within ten years after the same shall have been commenced, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the said company.

Commencement and completion of road.

SECTION 4. That whenever said company shall have completed two miles of said road, they shall have power to erect toll-gates and receive the same tolls per mile, that are allowed by the ninth section of an act approved the eighth day of April, Anno Domini, one thousand eight hundred and fifty-one, entitled "An act regulating and fixing the rate of toll to be charged by the Lary's Creek Plank road company."

Tolls.

SECTION 5. That it shall be lawful for the board of managers of said company to fill all vacancies occurring in said board by death, resignation or otherwise, until the next succeeding election.

Vacancies.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 169.

## A N A C T

To vacate a certain Alley in the city of Philadelphia.

WHEREAS, John Connolly, *et al*, inspectors of the prison in the city of Philadelphia, by indenture dated the thirteenth day of July, Anno Domini, one thousand eight hundred and nine, recorded in deed book J C, number five, page two hundred and fifty-six, granted and conveyed, as vacant ground, the property of the Commonwealth unto Henry Pratt, in fee *inter alia*, a lot of ground marked in a certain plan hereinafter referred to, number four, situate on the south side of Mulberry street, and east side of Schuylkill Second street, in the city of Philadelphia, containing in front, on said Second street, one hundred and twenty feet, and in depth one hundred and three feet to a four feet six inches wide alley, running into said Mulberry street, bounded eastward partly by said alley, and partly by the head of a five feet wide alley running into said four feet six inches wide alley; also, lot of ground marked in said plan number three, situate on the south side of said Mulberry street, one hundred and seven feet six inches east of said Schuylkill Second street, containing in front, on said Mulberry street, forty feet, and extending in depth, along the east side of said four feet six inches wide alley, one hundred and fifteen feet to said five feet wide alley; and also, lot of ground marked in said plan number one, situate on the south side of said Mulberry street at the distance of one hundred and eighty seven and a half feet east of said Schuylkill Second street, containing in front, on said Mulberry street, sixty feet, and in depth one hundred and fifteen feet to said five feet wide alley, with the privilege of said alleys:

*And whereas*, By virtue of sundry mesne conveyances and assurances in the law duly had and executed, the title to the said lots number three and four became vested in Samuel M. Leiper in fee, and to lot number one, with the intermediate lot number two, in Charles F. Lex, William Wright and John C. Hunter in fee, who being so thereof seized by an agreement, bearing date the thirtieth day of November, Anno Domini, one thousand eight hundred and forty-nine, annexed to said plan of said lots, agreed to vacate and release to said Samuel M. Leiper in fee, all their right and interest in said four feet six inches wide alley leading into said Mulberry street, at the distance of one hundred and three feet east of Schuylkill Second street: *Provided*, The legal representatives of the said Samuel M. Leiper, deceased, will grant to said Charles F. Lex, William Wright and John C. Hunter, and their heirs, the right to an alley five feet wide across the rear of said lot number four, leading into said Schuylkill Second street:

*And whereas*, The said Samuel M. Leiper, deceased, did agree, during his natural life, to open said five feet wide alley across the rear of his said lot number four, whereby the said five feet wide alley will extend in a straight line eastwardly from said Second street, at a distance of one hundred and fifteen feet south of Mulberry street, and grant the privilege thereof to the owners



of said other lots, and the fee simple or right of soil of said four feet six inches wide alley, is in the Commonwealth of Pennsylvania; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said four feet six inches wide alley, commencing on the south side of Mulberry street, at the distance of one hundred and three feet east of Schuylkill Second street, and extending southwardly, of that width, one hundred and fifteen feet, be and the same is hereby vacated, and the title to the soil thereof is hereby vested in the owners of the ground bounding said alley on the east and west.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 170.

## AN ACT

Authorizing the Commissioners of Washington County to pay Peter Woolf, formerly sheriff of said county, the sum of four hundred dollars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Washington county are hereby authorized and empowered to pay out of the county funds of said county to Peter Woolf, formerly sheriff of said county, the sum of four hundred dollars, for jail-keeper's services.*

E. B. CHASE,

*Speaker of the House of Representatives*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 171.

## AN ACT

To confer on Samuel Taylor Barelay, the rights and privileges of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Taylor Barelay, of Colerain township, Bedford county, son of Samuel M. Barelay and Mary Ann Byerly, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever as fully and effectually as if he had been born in lawful wedlock, that is to say, he shall have capacity to inherit from his said mother, and the said mother and her blood relations may inherit from him.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 172.

## AN ACT

To incorporate the Attleboro' Hulmeville and Bristol Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That M. W. Allen, John Wildman, Harvey Gillam, Jonathan Stackhouse, Simon Gillam, Isaac Eyre, Charles Vansant, C. N. Taylor, E. G. Harrison, Jesse G. Webster, B. F. Streeter, S. H. Harrison, William Elmsley, A. M. McIlvaine, Benjamin Smith, William R. Buckman, James E. Darrah, Thomas N. Taylor, Philip F. Wistler, Samuel Hulme, H. King, J. B. Hutcherson, John Philips, John Dorrance, Anthony Swain, Edward Baker, John G. Hibbs and H. M. Wright of Bucks county, or any five of them, be and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Attleboro' Hulmeville and Bristol turnpike road company, to locate and construct a turnpike road at any width not exceeding fifty feet, in, over, upon or near the*

Commissioners.

Style.

bed of the present road leading from Attleboro' to Bristol, by the way of Hulmeville and Newportville: Beginning where the Yardleyville road intersects the said road, in the said village of Attleboro', and terminating at the intersection of said road with the Frankford and Bristol turnpike road, near the borough of Bristol: *Provided*, That the said company may, in the construction of said turnpike road, diverge from the present road for the purpose of making the turnpike road straighter and the distance shorter, and the said company is hereby empowered and authorized to vacate such parts of the present road as they shall deem to be rendered unnecessary and useless by reason of diverging from the same, for the purpose of straightening and shortening the distance, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, so far as they are not inconsistent with this and the following sections.

*Proviso.*

Subject to provisions of certain act.

SECTION 2. That the capital stock of the said company shall consist of six hundred shares at twenty dollars per share: *Provided*, That the said company may from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such amount as in their opinion may be required to complete the road according to the intent and meaning of this act.

Capital stock.

*Proviso.*

SECTION 3. That whenever and so often as the said company shall have finished two or more miles of said road, the president thereof may give notice to the Governor, who shall thereupon forthwith appoint three skilful, judicious and disinterested persons to view and examine the same, and report on oath or affirmation to him, whether the road is so far executed in a complete and workmanlike manner, according to the true intent and meaning of the general act regulating turnpike road companies; if and their report shall be in the affirmative, the Governor shall, by license under his hand and seal of the State, permit and suffer said company to erect and fix such and so many gates on and across the said road, as will be necessary and sufficient to collect from all persons otherwise than persons attending funerals or going to and returning from any place of public worship, and all volunteers going to and returning from trainings, shall pass over said road toll free, not inconsistent with the general act regulating turnpike and plank road companies, passed January twenty-sixth, Anno Domini, one thousand, eight hundred and forty-nine.

Governor authorized to grant a license to take toll.

SECTION 4. That the said company may commence the construction of their road at any intermediate point: *Provided*, Such commencement shall be made within five years after the passage of this act, and should the said company fail to complete their road within ten years after the same shall have been commenced, then this act shall be null and void, except so far as shall become necessary to settle the affairs of the company.

Commencement of said road.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 173.

## AN ACT

To amend the Road Laws, and change the manner of Assessing Damages in the opening of Public and Private Roads in the county of Franklin.

Number of road  
and bridge view-  
ers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers appointed by the court of quarter sessions of the county of Franklin shall be three; every view, review, and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court; the provisions of this section shall include viewers appointed to inspect bridges under the thirty-ninth section of the general road law of eighteen hundred and thirty-six.

Notice to be given

SECTION 2. That in all cases of the appointment of viewers in the said county to view the site of a bridge, or to view and locate, vacate, or change and supply any public or private road, or to review or re-review the same, the said viewers, reviewers, or re-reviewers, or one of them shall, before proceeding to view, give public notice by three or more advertisements, put up at least five days before the time of meeting in the most public places in the vicinity of the place to be viewed, of the time and place they will meet for the purpose of making such view.

Releases to be  
procured.

SECTION 3. That if the viewers aforesaid shall fix upon the location of a bridge or of a public road, or shall vacate and supply, or change the location of any public road, it shall be the duty of the said viewers to endeavor to procure from the persons through whose lands such location or re-location may be made, releases from all claims of damages that might arise from opening the road; which releases shall be good, if in writing only, though not under seal; in every such case where the said viewers shall fail to procure such releases, and it shall appear to them that any damage will be sustained, it shall be their duty to assess the damages and make report thereof, signed by a majority of their number, and return the same, together with all releases obtained, to the proper court of quarter sessions: *Provided*, That any person affected by such report shall be entitled to a review of his damages, upon presenting a petition therefor not later than the third day of the next stated term after the term to which the report is returnable; but when there is more than one petition presented, founded on the same report of viewers, or where a review or a re-review of the road is granted at the same term, the court may appoint the reviewers or re-reviewers on all the petitions, and direct one order only to be issued for the review or re-review of the road, and the assessment of the damages in all the cases.

Proviso.

Damages.

SECTION 4. That it shall be the duty of the said court to examine carefully, the amount of damages assessed as aforesaid, and if the court shall be satisfied that the amount of damages assessed in any case, is so small that the public interest will be subserved by its payment and the opening of the road, they



shall confirm such view, review or re-review, and the assessment of damages, which shall be paid as directed by law; but if the said court shall not be so satisfied, the said report shall not be confirmed, unless the damages shall be first paid by the petitioners, or other persons interested.

SECTION 5. That when the viewers appointed shall decide in favor of locating or re-locating a private road, they shall view and assess the damages, if any, and make report thereof, and the proceedings thereupon to review or re-review the damages, shall be as hereinbefore provided in cases of public roads. <sup>Report of damages.</sup>

SECTION 6. That all provisions of the general road laws, or any other act of Assembly inconsistent herewith, are hereby repealed, so far as regards the county of Franklin: <sup>Repeal.</sup> *Provided,* <sup>Provide.</sup> That all proceedings under former laws now pending, shall be prosecuted to a final completion or determination under the same laws and under this act, so far as the same is applicable, as fully as though they were not supplied or repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. EIGLER.

No. 174.

## AN ACT

Authorizing the vacation of an alley in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Allegheny be and they are hereby empowered to vacate the ten feet alley running from Washington street, one hundred and fifty feet, more or less, to Liberty street, in the fourth ward of the city aforesaid, being the same piece of ground which Alexander Postly, William S. Bissell and others, sold and conveyed to said city to be used and kept for a public alley.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 175.

## AN ACT

Relating to the erection of a new Jail in the county of Fayette.

Lock-up house  
authorized.

Provided.

Provided.

Fees of sheriff.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That until the completion of the new prison in Fayette county, which is about being built by the commissioners of said county, agreeably to the recommendation of two successive grand juries and the court, the said commissioners are hereby authorized to provide some suitable place or building in the borough of Uniontown, or its vicinity, to be used as a temporary jail or lock-up house, or that the said commissioners shall have the right and power to contract with the proper authorities of the county of Allegheny, or some other adjoining county, for the safe keeping and supporting in the common jail or prison of said county, of all such persons as are now confined in the jail of Fayette county, or that may be hereafter sentenced or committed to prison, until the completion of the aforesaid building, and it shall be lawful for any court, judge, justice of the peace or committing magistrate in all cases wherein according to existing laws, he or they might lawfully commit or sentence to be confined, any person in the common jail of the county of Fayette, to commit and order to be confined such person or persons in the said temporary prison or jail of the said county of Allegheny or adjoining county, as said commissioners may determine, and the keeper of said temporary jail or the keeper of the common jail of said county of Allegheny, or keeper of the common jail adjoining Fayette, is hereby authorized and directed to receive and detain all such persons in said temporary jail or jails of said county of Allegheny or adjoining county, until he or she or they shall be delivered therefrom to the sheriff of Fayette county for trial, or in due course of law as in other cases, and upon the completion of said prison, to transfer all persons who shall then be in confinement in said temporary jail or jails of the said county of Allegheny or adjoining county, placed there by the authorities of Fayette county, into said prison, and then and there detain until the expiration of the terms for and during which they shall have been respectively sentenced or committed: *Provided,* That the costs and expenses of detaining and keeping the prisoners of the county of Fayette in the jail of Allegheny county, or such adjoining county as the prisoners may be committed or sentenced to under the provisions of this act, shall be defrayed by the said county of Fayette: *And provided further,* That the sheriff of the county of Allegheny, or of such county as such prisoners may be committed or sentenced to under this act, shall be civilly and criminally liable for their safe keeping, in the same manner that they now are liable for prisoners committed under the general laws.

SECTION 2. That the sheriff of Fayette county shall be entitled to receive the sum of two dollars per day for every day he is engaged in conveying prisoners to and from the jail in



Allegheny county or of such adjoining county, together with all necessary expenses and charges.

SECTION 3. That the commissioners of the county of Fayette are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the whole ten thousand dollars, which they may deem necessary, for the purpose of erecting a new jail in said county of Fayette, at any rate of interest not exceeding six per centum, in the name and upon the faith, credit and responsibility of said county, and to issue certificates of such loan to the holders thereof in sums not less than one hundred dollars, and to make such provision in the accounts and disbursements of said county from time to time, as may be necessary to pay the interest upon such loan, and to redeem the principal at such times and in such manner as may be conformable to the terms upon which the same may be taken.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 176.

### AN ACT

Authorizing the Canal Commissioners to examine the claim of John Cresswell and Son, for damages sustained by the Sinking of the canal boat Wilderness, in the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized and required to examine the claim of John Cresswell and Son, of Huntingdon county, for damages sustained by them in consequence of the sinking of the canal boat Wilderness, in the Pennsylvania canal, on the sixth day of June, Anno Domini, one thousand eight hundred and fifty-three, and if they shall ascertain that the accident was caused by the navigation not being in a proper condition, and that due prudence was observed by those having charge of the boat, if the same was not overloaded, they shall report the amount of the damages to the Legislature: *Provided,* That no allowance shall be made, except for the actual injury done to the boat and cargo, which shall be established by affidavit.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 177.

## AN ACT

Relative to the Estate of Ann Low, in Cumberland county.

WHEREAS, Ann Low, of the township of Upper Allen, in the county of Cumberland, lately to wit: On or about the nineteenth day of August last past (one thousand eight hundred and fifty-three) died intest, being seized of a certain tract of land situate in said Upper Allen township, and bounded by lands of John Garret, Levi Eberly, Esquire, and Ann Garret, and containing about nine acres, be the same more or less; and also of some personal property, leaving no husband, issue, father, mother, kindred or relations, and (being illegitimate) without any heirs:

*And whereas,* It has been established that she, Ann Low, did repeatedly and always, during her natural life, say, that a certain Elizabeth Collar, widow of David Collar, deceased, (being a girl whom she, Ann Low, had brought up,) should have all her estate real and personal:

*And whereas,* The estate of the said Ann Low has been, and will be, escheated to the Commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the right, title, and claim which this Commonwealth may have acquired, might acquire, or now has or might have by reason of any escheat or supposed escheat from the want of heirs or known kindred of the said Ann Low, deceased, in and to the real and personal estate of which she died seized, or to which she was entitled, be and the same is hereby granted to and vested in Elizabeth Collar, her heirs and assigns forever, in the same manner, and as largely, fully, freely and amply, as if she had been a child of the said Ann Low, deceased.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 178.

## A N A C T

To authorize the Borough of West Chester to establish a Public Square.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate authorities of the borough of West Chester be and they are hereby authorized to purchase, hold, ornament and improve for the use of the said borough as a public square, any lands now held or owned by, or in the occupancy of the corporations or trustees of the First Baptist church of West Chester; the First Presbyterian church of the borough of West Chester, the Methodist Episcopal church of the borough of West Chester, and the church of the Holy Trinity, of the borough of West Chester, bounded by New, Barnard, Wayne, and Union streets, in said borough, and now used and occupied as cemeteries or burial grounds, and the corporate or other legitimate authorities of the said churches, or any persons in whom the title of said lands may be vested, are severally hereby empowered to grant, bargain, sell and convey the said lands or any part thereof which they may respectively own, or any interest they may have therein, to the corporate authorities of said borough in fee, for the purposes of a public square for the common use of the citizens of the said borough to be called Wayne Square, and for no other purpose whatever.

SECTION 2. That the burgesses of the said borough are hereby empowered to borrow as much money as may be required to purchase the aforesaid lot or lots of ground and to improve the same, and they are hereby authorized to issue bonds or certificates of loan for the money so borrowed, and to pledge the of property of the said borough real and personal, and the property the citizens thereof, for the payment of the principal and interest accruing on said bonds or certificates of loan, and to provide for the payment thereof: *Provided*, That no bonds or certificates shall be issued of a less denomination than one hundred dollars, and that the said public square be exempt from taxation: *And provided*, That the said purchase of the aforesaid lot or lots of ground, shall not be made until the votable inhabitants of said borough shall first approve of the said purchase by a majority of their votes, at an election to be called and held for said purpose by the burgesses; at least two weeks public notice to be given of said election, and to be conducted according to such rules as the said burgesses shall establish.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 179.

## AN ACT

To incorporate the Allegheny and New Brighton Plank Road Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That*

*Commissioners.* John Birmingham, James Cooper, J. J. Gillaspie, William M. Darlington, R. H. Kerr, A. Bayne, G. R. Biddle, Andrew Ackley, A. M'Kee, J. A. Knox, Harvey Bollman and David Campbell, or any three of them be and are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a

*Style* company by the name, style and title of the "Allegheny and New Brighton plank road company," with power to locate and construct a plank road along the line of the present State road, or any other route which may be deemed most advantageous to

*Subject to provisions of certain act.* said company, and be subject to all the provisions and restrictions of an act regulating plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto.

*Capital stock.* *SECTION 2.* That the capital stock of said company shall consist of five hundred shares at twenty five dollars per share, or any less number or amount as may be deemed necessary for the construction and completion of said plank road ; and that when said company shall have completed three miles of their road, they shall have power to erect toll gates, and receive the same toll per mile, as regulates the Perrysville plank road company in Allegheny county.

*Commencement and completion of road.* *SECTION 3.* That if said company shall not commence the construction of said road within three years, and complete three miles within five years from and after the passage of this act, then the said act shall be null and void, except so far as it may be necessary to settle up and pay the debts of said company.

*Townships may subscribe stock.* *SECTION 4.* That any township in Allegheny county, along the line of said road, may subscribe stock; said stock to be paid into the treasury of said company when required to carry out the provisions of this act ; and that the township subscribing, shall be represented by any person who may be appointed by the supervisors of the respective districts subscribing.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 180.

## A N A C T

To settle the appeal of Thomas Morris from the decision of the Auditor General and State Treasurer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the appeal of Thomas Morris, from the decision of the Auditor General and State Treasurer, now pending in the court of common pleas of Dauphin county, number fifty eight, November term, Anno Domini, one thousand eight hundred and fifty-one, shall be considered as regularly taken, and the said cause shall be tried on its merits, without any objections being made as to the jurisdiction of the court or the form of the appeal: *Provided,* That nothing herein contained shall be construed to affect any account or items thereof, which may have been settled previous to any notice by said Morris to the Auditor General, that he had not received the money for which vouchers were presented by the Superintendent of the Columbia railroad for settlement.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 181

## A N A C T

To incorporate the Seamen's Navigation Company of America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Moulson, Jacob J. Storer, John Tyler, junior, Robert Rae, *Corporators.* Allen Johns, and their successors be and they are hereby incorporated into a body corporate and politic, by the name, style and title of "The Seamen's Navigation company of America," and *Style.*

by the said name, style and title, shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, to have a common seal, and receive, possess, employ, and dispose of ships and vessels, with their appurtenances, proper for the propulsion and navigation thereof, and to hold and use all necessary easements for loading and unloading, receiving and delivering merchandise transported, or to be transported in said ships and vessels, so to be customarily navigated by them; and further, to have all such other rights and powers as are or may be properly incident to a corporation, having for its object the transportation of goods, wares, merchandise, and the conveyance of passengers and mails, by the means of ships and vessels: *Provided*, That nothing herein contained shall be construed to confer on the said corporation any banking or mining privileges, or the right to hold real estate, excepting such as may be deemed necessary to accommodate the company's vessels, or such as may be conveyed to said corporation as security of, or in payment of debt.

Proviso.

Directors.

SECTION 2. That the five persons named in the first section of this bill, shall be directors of the corporation until their successors are chosen by the stockholders, with power to choose their officers; an election for five directors shall be held on the third Monday of January, one thousand eight hundred and fifty-five, and annually thereafter; of which election public notice shall be given of the time and place, but no failure to elect directors at the time named, shall work as a nonuser, but those in office shall continue until others are duly chosen.

Office.

SECTION 3. That the office of the company shall be at Philadelphia, State of Pennsylvania.

Capital stock.

SECTION 4. That the capital stock of said company shall be five hundred thousand dollars, divided into ten thousand shares of fifty dollars each, and the ratio of the votes of those holding stock, shall be as follows, to wit: A stockholder having five shares or less, shall have one vote for each share so held; having fifty shares, shall have one vote for every share so held above five shares; having one hundred shares or less, shall have one vote for every additional ten shares so held above fifty shares; having above one hundred shares, he shall have one vote for every additional twenty shares he shall so hold above one hundred shares; but no stockholder shall be entitled in his own right, or as a proxy, to a greater number than thirty-votes, and no vote shall be received on any proxy more than one year after the date of said proxy; and further, no transfer of proxy shall be allowed without the consent of the directors.

Dividends.

SECTION 5. That the president and directors shall, if they deem it advisable, on the third Monday of January, and the third Monday of July in every year, declare and divide so much of the profits of the said company, as to them shall appear safe and proper, and the dividend so declared, shall be paid to the respective shareholders; but they shall, in no case, exceed the net profits actually made and acquired, after deducting all lapses and expenses; and if the directors shall declare and pay any dividend by which the capital stock of the said company shall be impaired, they shall be jointly and severally liable for so much of the said capital stock as may be thus impaired and divided, which shall be recoverable, by any party aggrieved or injured, in an action recoverable for debt as in other cases.

SECTION 6. That the stockholders in said corporation shall be <sup>Individual Liabil-</sup> liable, in their individual capacity and estates, for all debts <sup>ity.</sup> created, and liabilities incurred by the said corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 182.

### AN ACT

To authorize certain Trustees to sell Black Bear School House, in Exeter Township, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Mellon and Jacob Brumbach, of the city of Reading, Berks county, and State of Pennsylvania, trustees of the Black Bear school house, in Exeter township, or successors, be and they are hereby authorized and empowered, to sell at public sale and to convey in fee simple to the highest and best bidder, all that certain lot or piece of ground together with the school house thereon erected, called the Black Bear school house, situate in Exeter township, county and State aforesaid, on the Philadelphia and Reading turnpike road, containing twenty perches, more or less, and being part or parcel cut out of a large tract of land late belonging to Peter Kehn, of said Exeter township, deceased, bounded and described as follows, to wit: beginning at a stone in a line of Jacob Maurer's land, and thence by the same south thirty-nine and a half degrees, west eight perches to a stone, and thence by land late of said Peter Kehn, deceased; south fifty-one degrees east five perches to a stone, and north six degrees east, nine perches and five-tenths, to the place of beginning, being the same premises which the heirs of the said Peter Kehn, deceased, October eleventh, Anno Domini, one thousand eight hundred and thirty-one, agreed to convey and partially did convey to the trustees aforesaid, for the purpose of building the aforesaid school house on said premises: *Provided,* That the proceeds of said sale, after deducting the costs, be paid into the common school fund of said township for the benefit and use of said common schools.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 183.

## AN ACT

Relative to bringing suits by creditors and others against executors, administrators, assignees and other trustees in certain cases, and serving notices and for satisfaction of mortgages, and opening judgments in certain cases.

Suits against administrators, executors, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where executors, administrators, assignees or other trustees, shall not reside within the jurisdiction of the court having control of their accounts, proceedings may be had and suits may be brought against them by creditors and others interested in said estates, in the counties where such accounts are to be settled, and process may be served by the proper officers of said counties or their deputies on said executors, administrators, assignees or other trustees, beyond the bounds of said counties, as if they resided therein, or upon any surety on their official bonds, with like effect as if they resided within the jurisdiction of the courts having control of their accounts.

Mortgagees and plaintiffs in judgments.

SECTION 2. That in all cases where mortgagees and plaintiffs in judgments shall not reside within the county where mortgages are recorded and judgments entered, and bills in equity shall be filed by the mortgagors or defendants in judgments against the mortgagees or plaintiffs in judgments, or against their assignees or legal representatives for the entry of satisfaction on the said mortgages and judgments, or to open the said judgments for the purpose of defence, subpoenas or other process may be served by the proper officers of said counties or their deputies, on said mortgagees or plaintiffs in said judgments, their assignees or legal representatives, beyond the bounds of said counties as if they resided therein, or upon any agent or attorney, of record of said mortgagees or plaintiffs in said judgments, within the counties where the said mortgages may be recorded or the judgments may be entered.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 184.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to encourage Manufacturing operations in this Commonwealth," approved the seventh day of April, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of twentieth April, one thousand eight hundred and fifty-three, supplementary to the act, entitled "An act to encourage manufacturing operations in this Commonwealth," approved the seventh of April, one thousand eight hundred and forty-nine, be and the same are hereby extended to the counties of Luzerne, Northumberland, Lehigh and Northampton. Extension of act to certain counties.

SECTION 2. That the stockholders in all companies incorporated in pursuance of the provisions of the act to which this is a supplement, and the several supplements thereto, including this act, shall hereafter be jointly and severally liable in their individual capacities, only for debts due to miners, quarrymen, and other laborers employed by such companies, and for machinery, provisions, merchandise, country produce, and materials furnished for said companies respectively, to be enforced and collected in the manner provided for in the act to which this is a supplement. Liability.

SECTION 3. That so much of the nineteenth section of the act, entitled "An act to incorporate the Vigilant hose company of the district of Southwark, et cetera," approved April fourteenth, Anno Domini, one thousand eight hundred and fifty-one, as relates to dividends declared by companies incorporated in pursuance of the provisions of the act to which this is a supplement, and the several supplements thereto, be and the same is hereby repealed. Repeal

SECTION 4. That the provisions of an act to encourage manufacturing operations in this Commonwealth, passed April the seventh, one thousand eight hundred and forty-nine, and the supplements thereto, be and the same are hereby extended to companies formed for the purpose of transporting merchandise, or articles of whatsoever nature, passengers or United States mails, either by land or water: *Provided,* That no company formed for transportation purposes, shall be authorized to hold real estate. Extension of certain act.

SECTION 5. That it shall be lawful for any company incorporated under the provisions of the act to which this is a supplement, and the several supplement thereto, including this act, to borrow on loan, for the prosecution of their legitimate business, any sum or sums of money not exceeding the amount of capital stock paid in, and issue bonds therefor, not less in amount than one hundred dollars each, at a rate of interest not exceeding seven per centum per annum, and for securing the payment thereof, to execute a mortgage or mortgages of all or any part of their real estate and franchises, under the seal of the corpo- Authority to borrow money.

ration, and to be signed and acknowledged by the president, or other chief officer thereof.

Repeal.

SECTION 6. That the ninth section of the act to incorporate the Beaver manufacturing company, approved April seventh, Anno Domini, one thousand eight hundred and forty-nine, and contained in the pamphlet laws for the year one thousand eight hundred and fifty-three, be and the same is hereby repealed.

Capital stock

SECTION 7. That the capital stock of any company incorporated under the provisions of the act to which this is a supplement, or the supplements thereto, may be of any amount not exceeding five hundred thousand dollars, divided into shares of not less than five, nor more than fifty dollars each.

Report to Auditor General.

SECTION 8. That it shall be the duty of all companies incorporated by or under any general or special law of this Commonwealth for any manufacturing or mining purposes whatsoever, or for the improvement of mining lands, in the month of December of each year, severally to make a report to the Auditor General, verified by the oath or affirmation of the president, secretary, or treasurer of the respective companies, stating explicitly and accurately the whole amount of capital stock authorized to be held, the amount of capital paid in, the total indebtedness, the number of acres of land held and where situate, the amount of goods, wares, or articles of whatsoever nature manufactured or prepared for market during the past year, or the amount of coal or other minerals or metals mined during the same period, as the case may be, the rate per cent. of the dividends declared, and any other items which may be requisite to exhibit a just and true account of the operations of the company for the preceding year; which year, for the purposes of such statement, shall be deemed to have terminated on the thirtieth day of November, and the capital paid in, and indebtedness of the company, shall be given as they stood on that day: *Provided*, That the reports made in compliance with the provisions of this section shall be in place of, and supersede any reports to the Auditor General or the Legislature, heretofore required from such companies by law; and it shall be the duty of the Auditor General to prepare a condensed statement, in tabular form, of such reports, and submit the same to the Legislature on or before the first of February in each year; any company which shall neglect or refuse to comply with the provisions of this section, shall be liable to a penalty of one hundred dollars for each month of such neglect or refusal, which penalty shall be sued for and recovered by the Auditor General for the use of the Commonwealth, in the manner provided by law for the bringing of suits against defaulting public officers.

Proviso.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER



No. 185.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Pittsburgh Life Insurance Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittsburgh Life Insurance company shall hereafter be known as the Pittsburgh Life, Fire and Marine Insurance company, and by that name shall have perpetual succession, and shall have power and lawful authority to insure all kinds of property against loss or damage by fire or any cause or risk, to make all kinds of insurance against loss or damage of goods, merchandise or other property in the course of transportation by land, water or otherwise, on any vessel or boat or other water craft, and to cause themselves to be insured against any loss, damage or risk in the course of their business: And further that they have power to increase their capital stock to any amount not exceeding three hundred thousand dollars: And further also to have power to increase the number of directors so that they shall not exceed seventeen, who may determine how many shall constitute a quorum: Provided, That the said company shall as fast as the renewal premiums become due, or at least within two years from the adoption of this supplement, make suitable provisions for all those policies issued for the whole term of life, by contracting with some good and responsible life insurance company to assume the risks of all those who do not sign a copy of this supplement with a statement annexed thereto, expressing their preference and desire to remain insured where they now are.*

SECTION 2. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, A D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 186.

## A FURTHER SUPPLEMENT

To an act entitled "An act to incorporate the Beaver Meadow Railroad and Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Beaver Meadow railroad and coal company, shall have the exclusive control of the motive power used on their railroad, and that no locomotive engine shall be used on said railroad, without the consent of the said company be first had and obtained: Provided, That the charge for said motive power used in the transportation of coal shall not exceed one and a half cents per ton per mile, where the grade on said railroad does not exceed eighty feet per mile; two cents per ton per mile, where the grade is between eighty and one hundred and twenty feet per mile, and two and a half cents per ton per mile, where the grade exceeds one hundred and twenty feet per mile.*

SECTION 2. That all laws or parts of laws heretofore passed in reference to the Beaver Meadow railroad and coal company, inconsistent with the provisions of this act, be and the same are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 187.

## AN ACT

To authorize the Canal Commissioners to examine the claim of Anna Hamilton, Elizabeth Hamilton, Mary Hamilton and Priscilla Hamilton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners are hereby authorized and required to examine the claim of Anna Hamilton, Elizabeth Hamilton, Mary Hamilton and Priscilla Hamilton, for damages sustained from the leakage of the West Branch division of the Pennsylvania canal, and from the waters of a run which the State in*

constructing the canal, turned out of its natural course and channel and brought through their farm, to assess the damages justly and equitably and report the amount to the Legislature: *Provided*, That if any allowance shall be made to said parties, before recovering the same they shall execute a full release to the Commonwealth, of all future claims for damages which may be done to their said farm.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 188.

A SUPPLEMENT

To the act incorporating the Bingham Mining and Lumbering Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Bingham Mining and Lumbering company shall be divided into one hundred thousand shares of five dollars each, instead of twenty thousand shares of twenty five dollars each, as provided in the act to which this is a supplement.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 189.

## A N A C T

Authorizing the President, Managers and Company, of the Pittsburgh and Coal Hill Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president, managers and company, of the Pittsburgh and Coal Hill turnpike road company, a corporation created by act of the Legislature, passed April eighth, Anno Domini, one thousand eight hundred and thirty-three, be and they are hereby authorized and empowered to borrow any sum of money not exceeding twelve thousand dollars, to be expended in the completion of said road, or for the payment of debts contracted in its construction; and that certificates for the sum or sums of money so borrowed, be signed by the president and secretary of said company, and attested by their corporate seal; which said certificates shall be transferable, and shall enable the legal holders thereof to demand payment, according to the terms and conditions of said certificates; no certificate to be of a less sum than for one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER

No. 190.

## A N A C T

To repeal certain parts of the act entitled "An act to incorporate the Miller's Run and Cross Creek Valley Plank Road Company," and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the seventh and eighth sections of the act passed the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-one, as relates to the appointment by the court of quarter sessions of Butler county, of a superintendent

for so much of the Butler and Mercer turnpike road as lies within said county, and enjoins certain duties and confers certain powers upon said superintendent is hereby repealed, so far as said act refers to Butler county.

SECTION 2. That the supervisors of the townships in Butler county through which the Butler and Mercer turnpike road passes, shall take charge of said road and work taxes upon repairs of the same in like manner as other public roads, being governed in all things relating to the repairing and keeping in repair of said turnpike road, by the general road laws now binding upon them as supervisors.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 191.

## AN ACT

Granting an annuity to Christian Haldeman, of Lancaster county, a soldier of the Revolutionary War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and is hereby authorized to pay to Christian Haldeman, of Lancaster county, a soldier of the Revolutionary war, or to his order, forty dollars, as an annuity during his life, commencing on the first day of January, Anno Domini, one thousand eight hundred and fifty-four, to be paid semi-annually on the first day of January, and first day of July.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 192.

## AN ACT

For the relief of Mary Decker, the widow of an old soldier of the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the State Treasurer be and he is hereby authorized and required to pay to Mary Decker, widow of Elias Decker, a soldier of the Indian war, now a resident of Hancock county, State of Ohio, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March A.D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 193.

## AN ACT

To ascertain and fix the boundaries of the streets and alleys in the borough of Kittanning, in the county of Armstrong.

Preamble.

WHEREAS, It is nearly half a century since the streets and alleys in the borough of Kittanning, in the county of Armstrong were laid out:

*And whereas, Time has obliterated the visible boundaries by which they were known, and rendered their ascertainment difficult if not impossible:*

*And whereas, It is highly desirable that all doubt respecting the same should be removed, in order that lot holders may build and improve without apprehension, and that all disputes and litigation may be wholly prevented; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Robert Orr, W. W. Hastings, D. Phelps, P. Mechling and J. Alexander Fulton, be and the same are hereby appointed*

Commissioners.



commissioners, to ascertain and fix the boundaries of the streets and alleys in the borough of Kittanning, in the county of Armstrong, and a majority of them shall be competent to lawfully execute any of the powers conferred upon them by this act.

SECTION 2. That the said commissioners are hereby authorized and required, as soon as may be after the passage of this act, to ascertain and fix the boundaries of the said streets and alleys, and to make and establish such initial points and visible marks of boundary as they may deem expedient, being not less than one at each cross-street, and one at the mouth of each street terminating on Water street, which initial points and marks shall be taken and held to be the true index of boundary and conclusive evidence thereof.

Commissioners to ascertain and fix the boundaries

SECTION 3. That the said commissioners shall have power to employ such competent artists and workmen as they deem expedient, and they together with the said commissioners, shall each receive one dollar for each and every day necessarily employed in the duties enjoined by this act, to be paid out of the borough funds on warrant drawn by the said commissioners.

To employ artists and workmen.

SECTION 4. That the said commissioners shall make out and file with the recorder of deeds of Armstrong county, a plot or topographic chart of their work, which the said officer shall record for a fee of one dollar to be paid on warrant drawn as aforesaid, and being so recorded, shall be evidence in any controversy which may hereafter arise respecting said boundaries, and a certified copy thereof shall have the like effect.

Plot to be filed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 194.

## AN ACT

To alter and amend the Charter of the Presbyterian Congregation of the Borough of Lewistown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That Trustees. from and after the passage of this act, the number of trustees of said Presbyterian congregation of the borough of Lewistown shall be seven, and no more, four of whom shall constitute a quorum; said trustees to be elected in the manner provided in the charter of said Presbyterian congregation of the borough of Lewistown.

Vacancies

SECTION 2. That in all cases where a vacancy or vacancies occur, or has occurred in the number of trustees of said Presbyterian congregation of the borough of Lewistown, by death, resignation, removal, or through the neglect or omission of said congregation to elect said trustee on the days and times set forth in the charter of said congregation, or by any other means whatsoever, it may be lawful for said Presbyterian congregation of the borough of Lewistown to fill all such vacancies, and elect trustees for said congregation, so that the said board of trustees be seven, and no more, at a congregational meeting to be called in pursuance of the fifteenth section of the charter of said Presbyterian congregation of the borough of Lewistown.'

E. B. CHASE,

*Speaker of the House of Representatives.*

M. McCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 195.

## A N A C T

Confirming the Title of certain property sold by the United Brethren congregation of the City of Lancaster.

Preamble

WHEREAS, John Hopson, late of Lancaster county, devised a piece of ground, in the city of Lancaster, to the society of the United Brethren, for the propagation of the Gospel among the heathen, in trust, for the use of the Brethren's congregation at Lancaster:

*And whereas*, Jacob Krug and Rebecca his wife, by deed, conveyed an adjacent piece of ground in said city to Adam Reigart, junior, and George Graeff, in trust, for the use of the said Brethren's congregation at Lancaster:

*And whereas*, The said society of the United Brethren, for the propagation of the Gospel, at the instance of the Brethren's congregation at Lancaster, by deed, under the common seal of said society, conveyed the said piece of ground to Jacob Albright and Rudolph F. Rauch in trust, for the use of the said Brethren's congregation at Lancaster:

*And whereas*, Henrietta Reigart, executrix of the will of Adam Reigart, deceased, the survivor of the trustees named in the deed from Jacob Krug and wife, together with her husband Emanuel C. Reigart, did, at the instance of the said Brethren's congregation at Lancaster, convey the said piece of ground to said Jacob Albright and Rudolph F. Rauch in trust, for the use of said congregation:

*And whereas,* The said Jacob Albright and Rudolph F. Rauch, at the request of the said Brethren's congregation at Lancaster, sold and conveyed the said two pieces of ground to Daniel Erisman, of the city of Lancaster, for a valuable consideration in fee, which consideration was paid to the said congregation; but as doubts are now entertained as to the title of the purchaser; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the deed of conveyance so as aforesaid made and executed by the said Jacob Albright and Rudolph F. Rauch, trustees of the Brethren's congregation in the city of Lancaster, to the said Daniel Erisman, his heirs and assigns, shall be deemed, taken, and adjudged to vest in the said Daniel Erisman, his heirs and assigns forever, a fee simple estate in and to the two lots or pieces of ground described therein, clear, free, and discharged from all the said trusts.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 196.

## AN ACT

Authorizing the Borough of Chester to borrow money, and other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Chester, in the county of Delaware, are hereby authorized and empowered to borrow on the credit of said borough, for the purpose of improving the streets and roads thereof, any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding six per centum per annum, redeemable at such time or times as shall be agreed upon, and to issue therefor certificates of indebtedness or other evidences of debt under the seal of said borough, and to be signed by the president and attested by the clerk or secretary of the said town council: *Provided,* No certificate shall be issued of a less denomination than one hundred dollars.

Power to borrow money.

Proviso

SECTION 2 That the said town council shall each and every year so long as the same shall be necessary, appropriate out of the taxes assessed and collected for road and borough purposes, the amount required for the payment of the interest, and also such

Appropriation of taxes.



an amount as they may deem proper for creating a sinking fund for the redemption of said loan or loans.

Report of viewers.

SECTION 3. That the viewers appointed to view and assess the damages in the case of the laying out of streets or roads within the said borough of Chester, under the provisions of the charter thereof, shall make report in writing to the next court of quarter sessions, and if their report be confirmed by the court, the amount of damages rendered shall be paid by the county treasurer out of the county funds, to the party entitled thereto, and all provisions of the said charter requiring said payment to be made out of the funds of the said borough, are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 197.

## AN ACT

For the relief of Rachel Provance, the widow of a soldier of the Revolutionary and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and required to pay to Rachel Provance, of Fayette county, the widow of Joseph Y. Provance, a soldier of the Revolutionary and Indian wars, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half-yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D. one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 198.

## AN ACT

For the relief of Jane Lescure, the widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and directed to pay to Jane Lescure, widow of Abraham Lescure, of Armstrong county, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half-yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 199.

## A FURTHER SUPPLEMENT

To the act incorporating the Hanover Branch Railroad Company, approved the sixteenth day of March, Anno Domini, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An act authorizing the Governor to incorporate the Hanover Branch railroad company," approved the sixteenth day of March, one thousand eight hundred and forty-seven, shall be and is hereby so amended, as to authorize the president and managers of said company to appoint, previous to every annual election, three disinterested judges to conduct the same, who shall not be eligible as directors at the same election, and shall respectively take and subscribe an oath or affirmation before a justice of the peace, well and truly, and according to law, conduct such election to the best of their knowledge and ability; and the said judges, or a majority of them, shall have power to examine, on oath, persons offering to vote, and to decide upon their qualifications and bona fide right to vote, and

when the election is closed, shall count the votes, and declare who have been elected, and make, forthwith, return thereof to the president and managers of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 200.

## AN ACT

To establish a Public Ferry on the Allegheny river at Elliott's Ferry, in President township, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert P. Elliott, his heirs and assigns, shall have the right and privilege at his or their own proper cost and charges, to make good and convenient landings on each side of the Allegheny river at Elliott's Landing in President township, and county of Venango, and also the right and privilege of erecting posts on any land or lands contiguous to or adjoining said landings, and to extend therefrom and across said river Allegheny a rope, chain or wire, in order to facilitate the crossing said stream: *Provided*, That the said rope, chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of craft navigating said river: *Provided also*, That the said Robert P. Elliott, his heirs and assigns, shall pay to the owner or owners of said land or lands on which the before mentioned posts may be erected, all damages which may accrue to said owners in consequence thereof, which said damages shall be assessed by a jury of six persons, appointed by the court of common pleas of said Venango county, and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws; *Provided also*, That nothing herein contained shall be so construed as to prevent at any time the erection of a bridge over the said river where the public road crosses at or near said ferry.

Authority to Robert P. Elliott to make landings.

Proviso.

Proviso.

Proviso.

To keep good and substantial boats.

SECTION 2. The said Robert P. Elliott, his heirs and assigns, shall keep good and substantial boats and flats and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others across the said river, and on the failure thereof unless prevented by some unavoidable occurrence, he or they shall forfeit and pay a fine



of five dollars besides the actual damages done to any person who shall suffer detention therefrom, and shall sue for the same within ten days thereafter before any justice of the peace within the townships of President and Cornplanter, in the said county of Venango.

SECTION 3. The said Robert P. Elliott, his heirs and assigns, <sup>Tolls.</sup> for keeping and maintaining the said landings and ferry as aforesaid, shall receive a compensation from persons passing over said river at such ferry, at the following rates, to wit: for each foot person five cents; for each person and horse ten cents; for each one-horse carriage eighteen and three-quarter cents; for each two-horse carriage or wagon twenty-five cents; for each four horse wagon thirty-seven and a half cents; for each additional horse five cents; for each head of horned or neat cattle led or drove three cents; for each head of sheep or swine led or drove one cent; for each yoke of oxen ten cents.

SECTION 4. If any person or persons shall wilfully pull down, <sup>Penalty for injury</sup> cut, break or in any manner injure or destroy any posts, ropes, <sup>to works.</sup> wires, chains, boats or other property belonging to the said ferry, he, she or they so offending, shall each and every of them forfeit and pay to the said proprietor or proprietors the sum of fifteen dollars, in addition to all damages sustained by the said proprietor or proprietors, to be recovered as debts of like amount are by law recoverable, or in default of payment thereof undergo imprisonment in the county prison for any term not exceeding three months, at the discretion of the justice before whom suit is brought.

SECTION 5. That at any time when twenty or more citizens <sup>Powers of court</sup> shall petition the court of quarter sessions in the county of <sup>of quarter ses-</sup> Venango, setting forth that they have just reason to believe that <sup>sions to determine</sup> the rates of ferriage are too high and ought to be reduced, or too low and ought to be raised, it shall be the duty of the said court to lay the same before the grand jury of the said county, who are hereby authorized and required to hear the parties, and if in the opinion of a majority of them the rates are too high or too low, they shall reduce or raise the same in proportions as they may deem equitable and just: *Provided also,* That the aforesaid <sup>Proviso.</sup> ferry shall be subject to such other rules and regulations as the court of quarter sessions may direct.

SECTION 6. That no person or persons shall be permitted to keep a public ferry within one mile above or below said ferry.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 201.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to incorporate the Reliance Insurance and Trust Company of Philadelphia," approved the twenty-first day of April, one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the affairs of the Reliance Mutual insurance company of Philadelphia shall be managed by twenty directors, to be elected annually, according to the provisions of the charter of said company, of whom such number, not less than five, as the majority of the board may determine, shall be a quorum for the transaction of business, but a majority of the whole number of directors shall be necessary for the election of president; and the directors now in office shall have power to elect additional directors, to supply the deficiency in their number until the next annual election, in the manner provided by the charter for filling vacancies in their own body.

SECTION 2. That so much of the act to which this is a further supplement, as limits the number of directors of said company to nine, is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 202.

## AN ACT

To Reduce the width of a portion of Ninth Street, in the County of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ninth street, between Jefferson street and Columbia avenue, in the county of Philadelphia, be and the same is hereby reduced in width, from ninety feet, as it is now laid out, to fifty feet:

*Provided*, Said reduction of width shall be first approved of by the commissioners of the district of Penn,

E. B CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 203.

A N A C T

Confirming a certain Conveyance of Real Estate.

WHEREAS, Sarah Ann Delano, now deceased, on the tenth day of April, Anno Domini, one thousand eight hundred and forty-four, then being the wife of Moreau Delano, of Utica, in the State of New York, executed her power of attorney to her husband, the said Moreau Delano, and acknowledged the same, on the day aforesaid, before Briggs W. Thomas, a justice of the peace in the State aforesaid, wherein and whereby she authorized and empowered the said Moreau as her attorney in fact, and for her and in her name to grant, bargain, and sell all her right, title, and interest in a certain tract of land in Radnor township, in Delaware county, State of Pennsylvania, for the sum of one thousand five hundred dollars, and to execute and deliver deeds for the same to the purchaser; and in pursuance thereof the said Moreau, as the attorney in fact of the said Sarah Ann did, on the thirteenth day of April, Anno Domini, one thousand eight hundred and forty-four, by deed, recorded in the office for recording deeds, in the said county of Delaware, in book W, page two hundred and seventy-six, grant, bargain and sell, the right title and interest of him, the said Moreau, and of her, the said Sarah Ann, in the said tract of land, containing one hundred and seventy-four and a half acres in said township, and described in the said deed to a certain Hiram Cleaver, and his heirs and assigns, for which the said Hiram paid the said Moreau the sum of fifteen hundred dollars at the date thereof:

*And whereas*, It appears that the acknowledgment of the said power of attorney was defective as to its contents, as also by reason of the want of authority in the officer before whom it was acknowledged, to take the acknowledgments of married women to deeds conveying or affecting lands in Pennsylvania, whereby the title of the purchaser is insecure:



*And whereas,* The said Sarah Ann has died since the said sale; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said power of attorney from the said Sarah Ann to the said Moreau is, and shall always be held to be as valid and effectual, for the purpose of the sale and conveyance of the interest, right and title of the said Sarah Ann Delano, in the said tract of land described in the deed aforesaid as intended to be conveyed, as if the acknowledgment of the same were in due form of law, and had been taken by and before an officer duly authorized and qualified to take acknowledgments of married women of deeds for lands in the State of Pennsylvania; and the existing record of said power of attorney shall be as valid and efficacious, to all intents and purposes, as if the acknowledgment thereof had been perfect and valid before such record was made; and the said power of attorney, and the said deed shall be, and shall always be held to be as valid and effectual, to all intents and purposes affecting the said tract of land, as if it were a power of attorney, duly executed and acknowledged by husband and wife, to a third person qualified to be and act as the attorney in fact of husband and wife.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 204.

## AN ACT

To incorporate Ebensburg and Loretto Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael Dan Magehan, John Thompson, junior, Joseph McDONALD, Henry Glass, David Evans, John Evans, Michael Hasson, George Litzinger, Augustine Little, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Ebensburg and Loretto plank road company, to locate and construct a plank road from the borough of Ebensburg, in the county of Cambria, to or near the borough of Loretto, in said county aforesaid, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies,

Commissioners.

Style.

Subject to provisions of certain act.

approved twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto so far as the same are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of said company shall consist of five hundred shares at twenty-five dollars per share: *Capital stock.*  
*Provided,* That said company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such amount as in their opinion may be required to complete the same according to the true intent and meaning of this act. *Proviso.*

SECTION 3. That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within five years thereafter, this act shall become null and void, except so far as to wind up the affairs of the company and pay the debts of the same. *Commencement and completion of road.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 205.

## A FURTHER SUPPLEMENT

To the act incorporating the North Philadelphia Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Philadelphia plank road company be and they are hereby authorized to borrow money to the extent of twenty thousand dollars, and to issue their bonds therefor, convertible into the stock of the company or otherwise, and in such form and for such amounts, not less than one hundred dollars each, as the managers of said company may think proper, and to mortgage their road and franchises to secure the payment of said bonds, the said bonds to bear such rate of interest, and to be sold or disposed of by the company at such rates as they shall deem best. *Power to borrow money.*

SECTION 2. That the said North Philadelphia plank road company shall also be and they are hereby authorized to continue their road by lateral branches, so as to connect at one or more points with the Germantown turnpike or Main street, in the borough of Germantown: *Provided,* That no public street or road be appropriated for that purpose without the consent of the *Extension of road. Proviso.*

councils of said borough, and the said company are hereby further authorized to continue their road so as to connect with the Germantown and Roxborough township line road, at any point north of Harvey street, and thence up the said township line road to the Wissahickon turnpike road, also to continue their road from the intersection thereof at Schuylkill sixth street with the Lamb tavern road, south-eastwardly along the Lamb tavern road aforesaid to Broad street.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 206.

## AN ACT

To lay out and mark a State Road in Allegheny and Washington counties.

Commissioners.

Route

Duties of commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hiram Hultz and John Gillfilan, junior, of Allegheny county, and James Pollock, of Washington county, be and the same are hereby appointed commissioners to view and lay out and mark a State road, beginning at the terminus of the Coal Hill and Upper St. Clair turnpike, at a point near James Conner's house, in Allegheny county, by the way of Espy's store, Caldwell's blacksmith shop and Thompsonville, to the Pittsburgh and Washington turnpike, at the point where the present Washington road intersects the said turnpike, at the toll-gate two miles north of the village of Canonsburg, in Washington county, having reference to the distance of the route, surface of the country, and cost of construction.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, at an elevation of not more than three degrees from a horizontal line, and thus they shall clearly and distinctly mark the road, in such manner as shall render the route agreed upon readily found by the supervisors; and for fulfilling the duties enjoined by this act, the commissioners shall be allowed the sum of one dollar and fifty cents per day for every day they shall be necessarily employed



in performing the duties assigned by this act : and the said commissioners are hereby authorized to employ J. B. Stilley, surveyor, at one dollar and fifty cents per diem, two chain-bearers and one axe-man, at a sum not exceeding for each, one dollar per diem.

SECTION 3. The said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon courses and distances, and the places, waters, county and township lines, with such other matter as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth on or before the first day of January next, and one copy in the office of the clerks of the court of quarter sessions of the respective counties through which the said road may pass, on the time aforesaid, or as much sooner as practicable ; and from thenceforth the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the county are made and repaired. Draft to be made out and filed.

SECTION 4. The amount required to pay the expenses, as thus provided, shall be paid by a warrant drawn on the commissioners of Allegheny and Washington counties, in proportion to the time spent in each county respectively. Expenses.

SECTION 5. And said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them shall agree on, and complete the location of said road as soon as practicable ; and if any vacancy shall occur by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person or persons so resigning shall have resided. Meeting of commissioners.

SECTION 6. It shall be the duty of the said commissioners to endeavor procure from all persons, through whose land said road is located, releases for all claims and damages which might arise from opening the said road ; and in all cases where a release cannot be obtained, it shall be their duty to assess the damages, and make report thereof, signed by a majority of them, which, with the releases, shall be returned to the court of quarter sessions of the respective counties in which such damages may accrue. Releases.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 207.

## A SUPPLEMENT

To an act passed the twenty-first day of January, one thousand eight hundred and thirty-two, relative to the German Reformed Church of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act relating to the minister, trustees, elders and deacons of the German Reformed congregation in the city of Philadelphia, in the province of Pennsylvania," approved on the twenty-first day of January, one thousand, eight hundred and thirty two, including the preamble and the three sections thereof, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 208.

## AN ACT

Relative to Foreign Insurance Companies, their Policies and Agents in the counties of Wayne and Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of any law or laws of this Commonwealth as imposes a penalty on any foreign insurance company, or their agent, for effecting insurance within this Commonwealth, or as avoids the policies made or hereafter to be made by any foreign insurance company or their agent, within this Commonwealth, or prohibits citizens of this Commonwealth from acting as agents of foreign insurance companies within this Commonwealth, be and the same is hereby repealed so far as relates to the counties of Wayne and Warren.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 209.

## A N A C T

To Confirm the Title to certain Real Estate situate in the District of Kensington,  
in the county of Philadelphia.

WHEREAS, Alexander H. Smith and wife, by indenture dated *Preamble.* the eighth day of May, Anno Domini, one thousand eight hundred and fifty, recorded in deed-book G W C, number eighty-five, page three hundred and fourteen, et cetera, did grant and convey unto the Second Associate Congregation of Philadelphia, their successors and assigns, all that certain lot or piece of ground situate on the east side of Delaware Front street, at the distance of one hundred and fifty-seven feet northward from the north side of Jefferson street, in the district of Kensington, in the county of Philadelphia, containing in front or breadth, on the said Front street, seventy feet, and extending in length or depth, eastward of that width on the north line thereof, one hundred and thirty-one feet four inches, and on the south line thereof, one hundred and twenty-three feet ten and one-fourth inches, bounded northward by ground of Alexander H. Smith, southward, partly by ground of Joseph L. Moss, and partly by ground of Alexander H. Smith, eastward by ground of Benjamin Butterfield, and westward by Front street, reserving out of the said lot of ground the yearly ground rent of one hundred and eighty-four dollars:

*And whereas,* The said the Second Associate congregation of Philadelphia, by indenture dated the seventh day of May, Anno Domini, one thousand eight hundred and fifty-two, recorded in deed book T H, number twenty-three, page one hundred and sixty-eight, et cetera, did grant and convey unto James Irwin in fee, all that certain lot or piece of ground situate on the east side of Delaware Front street, at the distance of two hundred and twenty-five feet northward from the north side of Jefferson street, in the district of Kensington, in the county of Philadelphia, containing in front or breadth, on the said Front street, two feet, and extending of that width eastward forty-eight feet, bounded northward by ground now or late of Alexander H. Smith, southward and eastward by other ground belonging to the Second Associate congregation of Philadelphia, and westward by Front street:

*And whereas,* The said the Second Associate congregation of Philadelphia, by indenture dated the seventeenth day of May, Anno Domini, one thousand eight hundred and fifty-two, recorded in deed book T H, number twenty-four, page five, granted and conveyed unto Robert Sloan in fee, all that lot of ground situate on the east side of Front street, at the distance of two hundred and five feet northward from the north side of Jefferson street, in the district of Kensington aforesaid, containing in front or breadth, on the said Front street, twenty feet, and extending in length or depth eastward, of that width, forty-eight feet, bounded northward by ground granted to James Irwin, southward and eastward by ground belonging to the Second Associate congregation of Philadelphia, and westward by the said Front



street, reserving a yearly ground rent or sum of twenty-five dollars :

*And whereas,* The said the Second Associate congregation of Philadelphia, by indenture dated the twenty-seventh day of December, Anno Domini, one thousand eight hundred and fifty-two, recorded in deed book T H, number fifty, page three hundred and ninety-seven, et cetera, did grant and convey unto John C. Harvey in fee, all that certain lot or piece of ground situate on the east side of Delaware Front street, at the distance of one hundred and fifty-seven feet northward from the north side of Jefferson street, in the district of Kensington aforesaid, containing in front or breadth, on the said Front street, twenty feet, and extending in length or depth eastward, of that width, forty-eight feet, bounded northward and eastward by ground belonging to the Second Associate congregation of Philadelphia, southward, partly by ground of Joseph L. Moss, and partly by ground of Alexander H. Smith, and westward by Front street, reserving thereout the yearly ground rent of twenty-seven dollars and fifty cents :

*And whereas,* Doubts have arisen in respect to the power of the said the Second Associate congregation of Philadelphia to convey the said lots of ground, and it is proper that the title to the same should be confirmed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing in any statute of mortmain, or any other statute or law of this Commonwealth relating to corporations, or any other law whatsoever, shall be held or deemed to impair, or in anywise to affect the title of the said James Irwin, Robert Sloan and John C. Harvey, of and in the lots of ground severally conveyed to them as above recited, but the same shall be held by them, the said James Irwin, Robert Sloan and John C. Harvey respectively, as above granted to them, their heirs and assigns, with the same effect, to all intents and purposes, as if the said, the Second Associate congregation of Philadelphia had, at the time of receiving and executing the conveyances aforesaid, full power and authority, under their charter, to hold and convey the same.

SECTION 2. That the said the Second Associate congregation of Philadelphia shall have power, on receiving the principal and interest of the above mentioned yearly ground rent or either of them, to execute a release and extinguishment of the ground rent reserved, as above recited, to the said Robert Sloan and John C. Harvey, their heirs or assigns, owners of the lots of ground aforesaid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

Statute of mortmain not to effect certain title.

Release

No. 210.

## AN ACT

Relative to Payment of Surveyors in laying out Roads in Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, any person employed in viewing, reviewing, laying out or vacating any road in the county of Indiana, being appointed by order of the court of quarter sessions of the peace in and for said county, who shall act as surveyor in viewing, reviewing, laying out or vacating the road mentioned in said order of court, shall be paid one dollar and fifty cents for each and every day by him necessarily spent in viewing, reviewing, laying out or vacating, and making draft and report of such road, to be paid in manner directed by the acts of Assembly in such cases made and provided.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 211.

## AN ACT

Repealing an act granting a State Road in the counties of Huntingdon and Mifflin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the first, second, third, fourth and fifth sections of an act approved the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-one, authorizing the laying out of a State road from a point on the public road leading up Mill creek, at or near John G Miles' saw mill, in Huntingdon county, to intersect the public road leading from the mouth of Mill creek, through Kishacoquillas valley to Brown's mills, in Mifflin county, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, A. D., one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 212.

## A SUPPLEMENT

To an act, entitled "An act to appoint Commissioners to run and mark the County Lines between York, Cumberland and Adams counties; to an Election District in Jefferson county; to the Shrewsbury and Hopewell Plank Road company; to the Union Church of Warrington township, York county; laying out a State Road from the Brookville and Tionesta road to George Catz's lane, et cetera," approved the eighteenth day of April, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time specified in the twentieth section of the act to which this is a supplement for making return of the survey of said road, is hereby extended to the first day of January, Anno Domini, one thousand eight hundred and fifty-five, and it shall be lawful for the commissioners to make said report on or before that time, as fully as though that day had been specified in the act to which this is a supplement.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 213.

## AN ACT

To legitimate Rachel Grillbortzer, of Leacock township, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Rachel Grillbortzer, the wife of Godlieb Grillbortzer, of Leacock township, Lancaster county, and only daughter and child of Esther Miller, of the same place, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely and to all intents and purposes, as if she had been born in lawful wedlock.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 214.

## A SUPPLEMENT

To an act incorporating the Coshecton and Great Bend Turnpike Road company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president, managers and company of the Coshecton and Great Bend turnpike road shall, in their artificial road, be subject to the provisions of the eleventh section of an act of Assembly, entitled "An act regulating turnpike and plank road companies," passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine; and hereafter, in all proceedings against said company for neglect to keep their road in good traveling order and repair, they shall be subject to the provisions of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of said act of Assembly, entitled "An act regulating turnpike and plank road companies;" hereafter the annual meeting of said company, for the election of managers and other officers, shall be held at such convenient house in the village of Great Bend, as shall from time to time be designated by a resolution of the stockholders.

E. B. CHASE,  
*Speaker of the House of Representatives*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 215.

## AN ACT

Relative to the time of holding Courts in the County of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the several courts of Blair county, shall commence on the fourth Mondays of January,

April, July and October, and shall continue two weeks at each term, if necessary.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 216.

## A N A C T

To incorporate the Ross and M'Candless Turnpike and Plank Road Company in the county of Allegheny.

Commissioners.

Route.

Subject to provisions of certain act.

Capital stock.

Commencement and completion of road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That W. Bryant, Andrew Richey, R. Stewart, Thomas H. Stewart, J. J. Gillespie, Joseph Crider, W. Thompson, M. Peebles, J. Sample, J. Huggins, C. Anderson, John Logan, E. Brooks, John Scott, J. Baker, R. Wallace, G. Graham, T. Hiller, S. M'Caslin, H. D. Sellers, R. E. Sellers, Thomas Gibson, Edward Encell, Peter Ivery and William A. Hill, or a majority of them, be and are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name and style of the Ross and M'Candless turnpike and plank road company, with power to construct a plank, gravel or turnpike road, from or near the lands of Joseph Crider, in Ross township, to or near the lands of S. M'Caslin and others, in M'Candless township, by such route as may be agreed on and adopted by the stockholders or a majority of them, at a meeting to be called for that purpose, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital of said company shall consist of six hundred shares of twenty-five dollars each per share: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock, so much as in their opinion may be necessary to complete the road or roads, and to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be

necessary to wind up the affairs and pay the debts of said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM BIGLER.

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No 217.

A N A C T

Supplementary to an act to incorporate the Montgomery Cemetery Company.

WHEREAS, The stockholders of the Montgomery cemetery <sup>Preamble.</sup> company, incorporated by an act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act to incorporate the Montgomery cemetery company," passed the tenth day of April, one thousand eight hundred and forty-eight, are desirous of changing the mode by which the trustees of the said company are appointed and chosen, and have petitioned this Legislature for authority to elect, by ballot, annually seven trustees, in whom all the rights, powers and authorities held and possessed by the present trustees shall be vested; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That <sup>Trustees.</sup> it shall be lawful for the stockholders of the Montgomery cemetery company on the first Monday of June next, and on the same day annually thereafter to elect, by a majority of votes by ballot from among their number, seven trustees, who shall hold the office for the term of one year, and until their successors be duly chosen: such election shall be held in the borough of Norristown, and notice thereof shall be published, for at least three weeks, in two newspapers published in said borough; and at such election, every stockholder shall be entitled to one vote for each share of stock held by him not exceeding two shares; and to one vote for every additional two shares of stock held by him not exceeding ten shares; and to one vote for every additional four shares of stock held by him above ten shares: and the trustees so chosen shall have, hold and exercise all the rights, powers and authorities which are now conferred upon, and vested in the trustees appointed by the act to which this is a supplement.

SECTION 2. That so much of the act, entitled "An act to in- <sup>Repeal.</sup> corporate the Montgomery cemetery company," passed the tenth day of April, one thousand eight hundred and forty-eight, as is



## LAWS OF PENNSYLVANIA,

inconsistent with, or is altered or supplied by this act, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 218.

## AN ACT

Designating the period for the commencement of the official term of the Commissioners and Auditors of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the term of office of the Commissioners and Auditors of the county of Chester, shall hereafter commence on the last Monday in January next succeeding their election, and shall continue three years, or until their successors shall be duly qualified.*

SECTION 2. That the term of the present Commissioners and Auditors of said county, is hereby extended to the last Monday in January, in conformity to the provisions of the foregoing section.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 219.

## AN ACT

To authorize the Commissioners of Northeast Township, Erie county to levy a Special Road Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the road commissioners of Northeast town-*

ship, in the county of Erie, to levy and assess in money, upon all property and things now taxable for county purposes in said township, a special road tax, not exceeding one per centum, to defray the expense of building a bridge across the Twenty-mile creek, in said township, and to collect and account for the same as now provided by law.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty four.

WM. BIGLER

No. 220.

## AN ACT

Authorizing the Governor to incorporate the Jones' Mills and Youghiogheny Plank Road company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Gay, Jonathan Ash and James W. Jones, of Westmoreland county, and John Patrick, Joseph Rodgers, Joseph J. Gallentine, George Foust, Jacob A. H. Miller, Joseph Colestock and D. W. C. Dumbauld, of Fayette county, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name and style of the "Jones' Mills and Youghiogheny plank road company," with power to locate and construct a plank road from Jones' mills, in Westmoreland county, to the Youghiogheny river, in Fayette county, at or near the mouth of Indian creek, or such other point on said river as said commissioners, or the directors of said company, may deem expedient, subject to all the restrictions and privileges, and provisions of an act, entitled "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, excepting, nevertheless, that portion of the thirteenth section of said act relating to tolls, which discriminates in favor of wheels of the width of four inches and upwards; and the said company shall have full power to regulate their tolls within the limits prescribed by the said thirteenth section of said act, without reference to the width of wheels in any case.

Commissioners.

Style.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty-five dollars each: *Provided,* That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock so much as may be necessary, in their opinion, for

Capital stock.  
Proviso.

the completion of the road, and to carry out the true intent and meaning of this act.

Tolls.

SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect a gate or gates, and receive tolls according to the provisions and restrictions of the thirteenth section of the act of the twenty-sixth of January, Anno Domini, one thousand eight hundred and forty-nine aforesaid.

Viewers, when to be appointed.

SECTION 4. That the viewers to be appointed by the Governor, as authorized by the twelfth section of the act last aforesaid, may be appointed whenever the company, to be hereby incorporated, shall have finished one mile or more of said road.

Commencement and completion of road.

SECTION 5. That if said company shall not commence the construction of their road within two years, and complete the same within five years from and after the passage of this act, then the same shall become null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 221.

## AN ACT

Relating to certain Election Districts.

Upper Mount  
Bethel township,  
Northampton  
county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the qualified electors of the township of Upper Mount Bethel, in the county of Northampton, shall hold their general and special elections at the house now occupied by John Johnson, in the village of Roxburg, in said township.

Bushkill township  
Northampton  
county.

SECTION 2. That from and after the passage of this act, the qualified electors of the township of Bushkill, in the county of Northampton, shall hold their general and special elections at the house now occupied by Daniel Kostenbader, in said township.

Jackson township,  
Dauphin county.

SECTION 3. That hereafter the general, special and township elections in Jackson township, Dauphin county, shall be held at the house now occupied by John Bixler, at Bixler's mill, in said township.

Cold Spring town-  
ship, Lebanon  
county.

SECTION 4. That the township of Cold Spring, in the county of Lebanon, is hereby erected into a separate election district, and the qualified voters thereof shall hold their general, special and township elections at the school house at or near Rauch



Gap, in said township, and Nathaniel J. Jones, is hereby appointed judge, and Abraham Simcox and Christian Bowman, are hereby appointed inspectors, to hold the first township and general elections in said township.

SECTION 5. That the qualified voters of the township of Brady, in the county of Huntingdon, shall hold their general, special and township elections, at the school house known as the Centre school house, in said township. Brady township,  
Huntingdon  
county.

SECTION 6. That the qualified voters of the township of Wil-mot, in the county of Bradford, shall hereafter hold their general, special and township elections at the house of James Fosler, in said township. Wilmot township,  
Bradford county.

SECTION 7. That the qualified voters of the borough of Ham-burg, Berks county, shall hold their elections at the house of Charles Kellar, in said borough. Hamburg, Berks  
county.

SECTION 8. That the place of holding the elections in the town-ship of Plunkets' Creek, Sullivan county, shall hereafter be at the school house near John J. Sadler's in said township. Plunket's Creek  
township, Sulli-  
van county.

SECTION 9. That the qualified electors of Summit township, in the county of Erie, shall hold their general and township elections at the Norris school house, in said township. Summit town-  
ship, Erie county.

SECTION 10. That the general and township elections in Union township, Union county, shall hereafter be held at the public house of Catharine Brown, in said township. Union township.  
Union county.

SECTION 11. That the qualified electors of Windham town-ship, Wyoming county, shall hereafter hold their general and all other elections, at the house of David Fisk, in said township. Windham town-  
ship, Wyoming  
county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 222.

## A SUPPLEMENT

To an act, entitled "An act relating to Roads, Highways and Bridges."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act supplementary to an act, entitled "An act relating to roads, highways and bridges," approved the thirteenth day of April, Anno Domini, one thousand eight hundred*

and forty-three, be and the same is hereby extended to the county of Bedford.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
 M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 223.

### AN ACT

Providing for the payment of Peter A. Browne, for certain copies of his work on Wool.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of nine hundred and three dollars and seventy-seven cents be, and the same is hereby appropriated to the use of Peter A. Browne in full, for three hundred copies of his work on sheep breeding and wool growing, subscribed for, for the use of the Commonwealth, by authority of law.*

E. B. CHASE,  
*Speaker of the House of Representatives.*  
 M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 224.

### AN ACT

Relating to Elections in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on the application of six or more citizens of any election pre-*

inct or district of Lancaster city or county, alleging under oath or affirmation that they are apprehensive of frauds at any election, the judges of the court of quarter sessions of Lancaster county, may select and authorize three qualified citizens of such precinct or district to be present with the officers during the election and the making out of the returns, with the right to challenge votes: *Provided*, That no expense shall accrue to the county by reason of such appointment.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 225.

### A N A C T

Relative to the Collection of Taxes in certain townships in Berks and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of January, one thousand eight hundred and fifty-five, the collection of State and county taxes in Richmond and Herford townships, Berks county, and Paradise and West Cocalico townships, Lancaster county, shall be given to the lowest bidders, proposals thereof to be presented to the commissioners of the respective counties at least three weeks prior to the giving out of said collection of taxes, and the difference between the commissions now allowed by law for the collection of such taxes, and the bids obtained under the provisions of this act, shall be paid into the common school funds of said townships for educational purposes: *Provided*, That the persons to whom the collection of such taxes shall be thus allotted, shall give sufficient security to said county commissioners for the true performance of their duties in the collection of said taxes, in the same manner as collectors under existing laws are required to do.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 226.

## A N A C T

Relative to the payment of Constables for attending the General and Township Elections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That each and every constable of this Commonwealth, except in the city and county of Philadelphia, who shall attend at the general and township elections in their several districts as required by law, shall receive for said services one dollar per day from the county fund.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 227.

## A N A C T

Concerning the School district of the South ward of Borough of Meadville

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of the act passed the twentieth day of April, Anno Domini, one thousand eight hundred and fifty-three, entitled "An act to incorporate the White Haven and Carbon county line turnpike road company; authorizing the school directors of the borough of Meadville to borrow money; relative to the Philipsburg and Glade turnpike road company," be and the same is hereby repealed.

SECTION 2. That the school tax assessed in the said south ward, shall not hereafter in any one year exceed the ratio of five mills on the dollar on the assessed valuation of the taxable property in said ward.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 228.

## A N A C T

To authorize the appointment of an Auctioneer in Clinton county, and in the borough of Meadville, in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be and he is hereby authorized and empowered to appoint and commission one suitable person in the county of Clinton as an auctioneer, who shall be authorized to sell at public auction, at such times and places as he may select, all kinds of goods, wares and merchandise, lands, tenements, and all other kinds of property; and the auctioneer so appointed and commissioned shall, before exercising any of the powers, or enjoying any of the privileges incident to said appointment, pay into the county treasury of Clinton county, for the use of the Commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the Commonwealth, one per centum upon all sales exceeding in amount the sum of ten thousand dollars: *Provided,* That no commission shall issue at any one time for a longer term than five years.

SECTION 2. That if any person, not commissioned and authorized as aforesaid shall, after the passage of this act, in any manner use or exercise the business or occupation of an auctioneer within the limits of said county of Clinton, he shall, upon conviction thereof for every such offence, forfeit and pay not less than one hundred, nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half for the use of the directors of the poor of the county of Clinton, and the other half for the use of the Commonwealth.

SECTION 3. That the provisions of this act be extended to the borough of Meadville, in Crawford county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 229.

## AN ACT

To fix the time for holding the Courts in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the several courts in the county of Clinton shall commence on the fourth Mondays of February, May, September and December, and continue one or more weeks: *Provided, That* when in any month in which the said courts are authorized to be held there shall not be four Mondays, the court shall commence on the first Monday of the month following.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 230.

## AN ACT

For the Relief of Elsie Van Gorden, widow of an old soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the State Treasurer be and he is hereby authorized and required to pay to Elsie Van Gorden, the widow of Moses Van Gorden, of Pike county, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.



231.

## A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the act entitled "An act authorizing school directors to administer oaths, and for other purposes," approved the twentieth day of April, Anno Domini, one thousand eight hundred and fifty-three, be and the same is hereby repealed: That the Donaldson Improvement and Railroad company may double the number of shares in the capital stock, and reduce the amount of each share to twenty-five dollars, and that each share of stock shall entitle the owner or trustee to one vote, and said company may make leases of the right to mine, dig and take from their said lands mineral, coal and iron ore, and receive therefor a tonnage rent, as may be agreed upon, for a period not exceeding twenty years in any one lease, and that all the rights of a landlord to collect said rents by levy and sale, under the landlord and tenant laws of this Commonwealth, shall be extended to said company for the collection of said rents during the period of such lease or leases, whether the same be especially agreed upon between the parties to such leases or not.

Repeal.

Shares may be increased.

SECTION 2. That the said company is hereby authorized to borrow, for the purpose of sinking shafts, slopes, and erecting necessary machinery, dwelling houses, and for other purposes, any sum or sums of money not exceeding seven hundred thousand dollars, at such rate of interest as may be agreed upon, not exceeding seven per centum per annum, payable semi-annually, and the said company may issue coupon bonds for said loan, in sums of not less than one hundred dollars, payable at any time within fifteen years from the date thereof, and secure the payment of the same by the mortgage of the personal property, real estate and corporate franchises of said company, and the said loan may be convertible into the stock of the said company at the option of the holder or holders thereof: *Provided*, The capital of said company may be increased to an amount so converted into stock.

Power to borrow money.

Proviso.

SECTION 3. That if at any time hereafter the bonds authorized to be issued by this act or any portion thereof, shall be converted into the stock of said company, the said company shall pay into the State Treasury for the use of the Commonwealth, one-half of one per cent. upon the amount converted, one-fourth of said one per cent. to be paid at the time of conversion, and the remainder in three equal annual instalments.

Amount to be paid into State Treasury.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 232.

## AN ACT

Authorizing the Supervisors of Brown and Armagh townships, Mifflin county, to subscribe to the Capital Stock of the East Kishacoquillas and Millheim Turnpike Road company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of the public highways for the township of Armagh, in the county of Mifflin, be and they are hereby authorized to subscribe for, and in the name and behalf, and for the use of the inhabitants, forty shares in the capital stock of East Kishacoquillas and Millheim turnpike road company; and the supervisors of the public highways of the township of Brown, in said county of Mifflin, be and they are hereby authorized to subscribe for, and in the name and behalf, and for the use of the inhabitants of the said township, twenty-eight shares in the capital stock of the East Kishacoquillas and Millheim turnpike road company: and the said supervisors are hereby authorized and empowered to borrow money, to the amount of seven hundred dollars, to meet the instalments of the stock so subscribed as the same may become due; and the supervisors of Armagh township are hereby authorized and empowered to borrow money, to the amount of one thousand dollars, to meet the instalments of the stock so subscribed as the same may become due, and to issue certificates of indebtedness in the name of the inhabitants of the township of Armagh, and the township of Brown, for the amount of such money so borrowed, bearing interest at a rate not exceeding six per centum per annum, and payable at any time not exceeding ten years from the date thereof; which said certificates shall be binding on the said townships of Armagh and Brown, and the inhabitants thereof; the amount or amounts to be recovered in actions of debt, to be instituted in any court of record in the county of Mifflin against the said townships of Armagh and Brown: *Provided*, That no one of said certificates shall be for a less sum than one hundred dollars: *And provided nevertheless*, That the question whether the above subscription shall be made, shall be submitted to the qualified voters of said township of Armagh, and the township of Brown, at a special election to be held on the tenth day of June next, four weeks' notice of which election to be given in two of the newspapers of Mifflin county.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 233.

## A N A C T

Authorizing the Cosalo Iron company to subscribe to the Capital Stock of the Northwestern Railroad company, and to hold Property in other States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Cosalo iron company of New Castle, Lawrence county, in their corporate capacity, to subscribe to the capital stock of the Northwestern railroad company, any amount not exceeding one hundred thousand dollars, and to receive, hold and dispose of any stock so subscribed, in the same manner as other property belonging to said company.

SECTION 2. That the said Cosalo iron company are also hereby empowered to purchase, hold and dispose of any property, real, personal and mixed, which may be necessary or advantageous to said company, and lying or being out of the State of Pennsylvania.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 234.

## A S U P P L E M E N T

To an act entitled "An act to incorporate the Towanda and Franklin Railroad Company," approved the ninth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Towanda and Franklin Railroad company shall have the Authority to hold lands. right to hold by purchase or lease, land not exceeding two thousand acres at any one time, to be located in the county of Bradford and State of Pennsylvania, for the purpose of mining, selling and transporting coal, and other products of coal mines.

SECTION 2. That the first section of the act incorporating said Connections. company be and is hereby so amended, as to authorize said company to construct its railroad down the valley of the Towanda creek, by such route as will enable it to intersect and connect with the North Pennsylvania railroad and North Branch canal, at such point or points as may be most advantageous for said company.

SECTION 3. That the proviso to the seventh section of an act Repeal. to which this is a supplement is hereby repealed.



Name changed.

SECTION 4. That the name, style and title of the Towanda and Franklin railroad company shall be and the same is hereby changed to, and the said corporation shall hereafter be known by the name of The Barclay Railroad and Coal Company, with all the rights, privileges and immunities, and subject to all the provisions and penalties provided for and enjoined by the act incorporating said company and this supplement thereto: *Provided*, The rates for toll and motive power charges established in accordance with the eighteenth section of the act regulating railroads, passed February nineteenth, one thousand eight hundred and forty-nine, shall not exceed two cents per ton per mile, on each ton of coal transported over said road in cars owned or furnished by the parties for whom the coal is transported.

Provide

Stockholders jointly and severally liable.

SECTION 5. That the stockholders in the said company shall be hereafter jointly and severally liable in their individual capacities only, for debts to miners, quarrymen and other laborers employed by such companies for machinery, provisions, merchandize, country produce, and materials furnished for said companies respectively, to be enforced and collected in the manner provided for in the act of the seventh of April, one thousand eight hundred and forty-nine, entitled "An act to encourage manufacturing operations in this Commonwealth," and the supplements thereto, and the said company is hereby authorized for the purposes of this act, to increase their capital stock any amount not exceeding the sum of four hundred thousand dollars, and it shall be lawful for the said company to borrow on loan for the legitimate prosecution of their business, any sum or sums of money, not exceeding the amount of the capital stock paid in, and issue bonds therefor not less in amount than one hundred dollars, each at a rate of interest not exceeding seven per cent. per annum, and for the securing the payment thereof, to execute a mortgage or mortgages of all or any part of their real estate and franchises, under the seal of the said corporation, and to be signed and acknowledged by the president or other chief officer thereof: *Provided*, That the said company shall pay into the Treasury of the Commonwealth a bonus of one-half of one per centum upon the amount of the capital stock, to be paid in four equal annual instalments, the first thereof on the first day of January next, and a similar bonus upon any increase of stock hereafter, payable within one year of such increase.

Provide.

Annual report

SECTION 6. That said company shall make an annual report to the Auditor General, verified by the oath or affirmation of the president, secretary or treasurer thereof, in the month of December, stating explicitly and accurately the names of all the stockholders of such company; the whole amount of the capital stock thereof; the amount or proportion of said capital stock paid in; the amount of capital invested; the number of acres of land held by the said company, and where situate; and the amount of coal transported to market by the company during the previous year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 235.

## A FURTHER SUPPLEMENT

To an act, entitled "An act for the incorporation of the Pittsburgh, Kittanning and Warren Railroad company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny Valley railroad company is hereby authorized and empowered to issue its bonds, convertible, at option of holder, into the stock of said company, to any amount not exceeding the capital stock, at a rate of interest not exceeding seven per centum per annum; and for the payment and security of said bonds, the said company is hereby authorized to execute a mortgage of the said road and franchises, for such period of time as may be agreed upon; the proceeds of said bonds to be applied to the construction of said road, without liability on part of holders of mortgage for correct application: *Provided*, That no bond shall be in a sum of less than one hundred dollars: *And provided further*, That hereafter at all meetings for the election of officers, and the transaction of other business, to be held by the stockholders of the Allegheny Valley railroad company, the several counties and cities which have, or may subscribe to the capital stock of said company, shall be entitled to one vote for every share of stock held or owned by such county or city; and any law inconsistent with this proviso, be and the same is hereby repealed.

SECTION 2. That said company is authorized to sell the said mortgage bonds, and other bonds held by it, at such rates under par as may be agreed upon by said company and purchasers: *Provided*, That as whereas bonds of the county of Allegheny have been delivered to the directors of said company, under an agreement that the same should not be sold at less than their par value, and the said bonds having since been sold and transferred, the bonds of the said county of Allegheny are hereby excepted from the provisions of the second section of this act.

SECTION 3. That hereafter the Allegheny Valley railroad company shall not be permitted to plead, in avoidance of its contracts, or in any manner be subject to the provisions of the act of Assembly of the second March, Anno Domini, one thousand seven hundred and twenty-three, entitled "An act for reducing the interest of money from eight to six per centum per annum.

SECTION 4. That the seventh section of the act to which this is a supplement, be and the same is hereby altered, so that the courts of quarter sessions therein mentioned shall, instead of issuing a precept to the sheriff, appoint three disinterested citizens of an adjoining county, to whom all questions in relation to rights of way, damages, et cetera, as named in said section, shall be referred within the county wherein the application is made, the award of a majority to be binding on parties, subject



to the same conditions as are provided in cases of findings by jury provided for in said section.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 236.

## A N A C T

To incorporate the Arcadian Institute of the Borough of Orwigsburg, in the county of Schuylkill.

Preamble.

WHEREAS, By an act of the General Assembly of this Commonwealth, approved the eighth day of March, one thousand eight hundred and forty-eight, the county commissioners of said county were authorized and empowered to release to the borough of Orwigsburg, aforesaid, after the removal of the seat of justice from Orwigsburg to the borough of Pottsville, in said county, on legal demand made by the proper authorities, all the right, title and interest which said county may have in and to county buildings and grounds on which the same are erected, together with the appurtenances thereunto belonging, situate in the borough aforesaid, to have and to hold the same in trust only, for the use and purpose of having the same occupied as an academy or seminary of literature for the instruction and education of youth.

*And whereas,* The said commissioners, in pursuance of said authority, executed a deed of conveyance in trust to the authorities of the borough of Orwigsburg, aforesaid, bearing date on the fourteenth day of June, Anno Domini, one thousand eight hundred and fifty-three; therefore,

Chief burgess  
constituted a  
member of the  
board of trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the chief burgess for the time being, by virtue of his office as such, under the direction of the town council of the borough of Orwigsburg, aforesaid, be and he hereby is constituted a member of the board of trustees of the aforesaid Arcadian Institute, and as such be entitled to a voice in the board of trustees authorized by the second section of this act, for the transaction of all business connected with the institution hereby incorporated; for the especial purpose of carrying out more effectually the true intent and meaning of the aforesaid act of Assembly, approved the eighth day of March, one thousand eight hundred and forty-eight.



SECTION 2. That the following named persons, together with Trustees.  
the chief burgess for the time being of the borough of Orwigsburg  
aforesaid, to wit: Francis S. Hubley, Jacob Hammer, Charles  
Frailey, John W. Hoffmire, John Schall, Henry Ducachet, James  
P. Palm, Thomas R. L. Ebur, Daniel Boyer, Isaac Orwig, junior,  
George Bode, Abraham Fegely, Franklin W. Wagner, Edward  
B. Hubley, Isaac Hiester, John Seiberling, Samuel Boyer, Philip  
R. Palm, Charles W. Hegins, Burd Patterson, John Bannan,  
Benjamin Pott, George D. Leib, George H. McCabe, Emanuel  
J. Fry, Samuel D. Ball, William Graeff, Francis W. Kremer,  
Gedion Fahnstock, Simon Cameron, Alexander Jordan and  
Abraham Forry, constitute a board of trustees of the aforesaid  
institution, which shall have perpetual succession, and shall be Privileges.  
able to sue and be sued, plead and be impleaded in all courts of  
law and equity, to take and hold for the use of said institution,  
lands, goods, chattels and monies of any kind whatsoever, by  
gift, grant, devise or bequest, from any person or persons whom-  
soever making the same, and generally to do all and singular  
the matters and things which may be lawful for them to do for  
the well being of the said institution, and the due management  
and ordering of the affairs thereof.

SECTION 3. That the trustees named in the first and second Vacancies.  
sections of this act shall have the power to fill vacancies which  
may occur from any cause, to appoint a president, secretary and  
treasurer from among their number, and enact such by-laws as  
may be necessary, not being inconsistent with the Constitution  
of the United States and the Constitution of this Commonwealth,  
said trustee shall be authorized to receive subscriptions in sums  
of any amount, for the purpose of purchasing books, philosophi-  
cal apparatus, and other property necessary for the use of said  
institution, and if it may be deemed expedient, lease the real  
and personal effects of said institution to competent teacher or  
teachers, and to receive and collect rents and compensation for  
the use and benefit of the said institution.

SECTION 4. That no misnomer of said institution hereby in- Misnomer.  
corporated, shall defeat or annul any gift, grant, devise or be-  
quest made to the same: *Provided*, That the intent of the par- Proviso.  
ties shall sufficiently appear upon the face of the gift, will or  
writing, whereby any estate or interest was intended to pass to  
the same.

SECTION 5. That the trustees aforesaid shall have full power Insurance.  
to effect an insurance of the premises or any part thereof against  
fire, either temporary or perpetual, out of any funds of the said  
institution.

SECTION 6. The object of this act being to supersede the Or- Object.  
wigsburg academy, erected in pursuance of the act of the  
twenty-ninth of March, Anno Domini, one thousand eight hun-  
dred and thirteen, the trustees or majority of them, shall have  
power, upon the organization of the said Arcadian institute  
under the provisions of this act, to transfer and convey the said  
Orwigsburg academy and grounds thereunto attached, and to  
pay or cause to be paid, all the funds which remain in their  
hands, from whatsoever source received, to the treasurer of the  
said Arcadian institute, to be used by the same in any manner  
the better to carry out the purposes of this act.

SECTION 7. The act of Assembly passed the twenty-ninth Repeal.  
March, one thousand eight hundred and thirteen, entitled "An  
act to establish an academy in the borough of Orwigsburg, in

the county of Schuylkill, and to grant a sum of money," be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

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No. 237.

## A N A C T

To incorporate the Inland Safety Mutual Insurance company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James B. Lane, Luther Richards, John Michael, Isaac E. Hiestter, David Killinger, George R. Hendrickson, Frederick Cooper, Emlen Franklin, Conrad Gast, John A. Hiestand, Benjamin Reinhold, Wm. Mathiot, John K. Reed, James Myers, Thomas Zell, S. W. P. Boyd, Daniel Good, Daniel Herr, (Pequa,) Edward House, Henry Miller, junior, Henry H. Breneman, John Styer, Bartram A. Sheaffer, Philip Arndt, John Hoerner, Abraham Shelly, John Lynch, C. B. Grubb, John M'Govern, Richard Davies, David Bender, and all other persons who may hereafter associate with them in the manner hereinafter provided, shall be and are hereby constituted a body corporate and politic, by the name of the "Inland Safety Mutual insurance company," which shall have perpetual succession, with power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or damage of property by fire, or any cause of risk; to make all kinds of insurance against loss or damage of goods, merchandise, or other kinds of property in the course of transportation by land or water or otherwise, and in any vessel or boat or other water craft, and to make insurance upon such goods, wares and merchandise, and to cause themselves to be insured against any loss, damage or risk in course of their business, for such term or terms of time, and for such premium or consideration, and with such modifications and restrictions, as may be agreed upon between the said corporation and the persons agreeing with them for insurance, with a capital stock of five thousand shares of twenty-five dollars each, and with all the privileges and powers conferred upon the Mutual Deposit insurance company, and Girard Fire and Marine insurance company of Philadelphia, except such as are inconsistent with the provisions of this act.

Corporators

Style.

Privileges



SECTION 2. That the affairs of this corporation shall be <sup>Management.</sup> managed by a board of thirteen directors; and all vacancies oc- <sup>Vacancies.</sup> ccurring in said board shall be filled by the remaining directors, for the remainder of the year for which they were elected.

SECTION 3. That after the first election, the directors shall be <sup>Directors, how to</sup> elected by the stockholders on the third Monday of November <sup>be elected.</sup> annually, at such hour and place within the city of Lancaster, as the directors for the time being shall appoint; of which ten days' notice, in at least one newspaper published in the said city, shall be given.

SECTION 4. That this corporation shall not issue scrip in pay- <sup>Not to issue scrip.</sup> ment of dividends, or any paper, bill or note, to be circulated as bank notes, nor exercise any banking privileges whatsoever.

SECTION 5. That as soon as one thousand shares of the capi- <sup>Letters patent.</sup> tal stock are subscribed for, and five dollars per share paid in, the Governor shall issue letters patent incorporating the subscribers into a body politic, and in all elections, each share of stock shall entitle the holder thereof to one vote.

SECTION 6. That it shall be lawful for said company to estab- <sup>Agencies.</sup> lish agencies within this Commonwealth, with local boards of directors of not less than three stockholders, for the purpose of effecting insurance and transacting the business of the company; and all contracts, agreements and receipts of such agents, shall be as valid and binding, as if the same were effected by the president and directors of said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

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No. 238.

## AN ACT

Relative to the Estate of Wharton Craig, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustee or trustees for the time being of the estate of Wharton Craig, deceased, under a certain deed of trust, executed by him on the sixteenth day of December, Anno Domini, one thousand eight hundred and forty, shall have power, notwithstanding the decease of the said Wharton Craig, to sell and dispose of the subject of the said trust, as fully as if the said Wharton Craig were still living; and all conveyances heretofore made by the said trustee, since the decease of the said Wharton Craig,



are hereby validated, as fully as if he had been living at the dates thereof respectively.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 239.

### A N A C T

To Prevent Fishing in Big Chiquesalungo creek, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to fish with drag nets, set nets, stir nets, or by any other way or means, except by angling, in Big Chiquesalungo creek, from Benjamin Stauffer's mill dam, including the same in Penn township, to Samuel Johnston's mill in East Donegal township; and any person or persons so offending, on conviction thereof, on the testimony of one or more witnesses, before a justice of the peace of said county, shall pay a fine of five dollars for every such offence, to be recovered as debts of equal amount are by law recoverable: *Provided,* That such prosecution shall be commenced within thirty days after such offence shall be committed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 240.

## A FURTHER SUPPLEMENT

To an act incorporating the Delaware, Lackawana and Western Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Delaware, Lackawana and Western railroad company is hereby authorized to subscribe to the capital stock of the Warren railroad company, in the State of New Jersey, not exceeding two hundred thousand dollars, and to lease said railroad of said company, for such term, and upon such conditions, as said companies may agree upon.

SECTION 2. That said Delaware, Lackawana and Western railroad company is authorized to purchase and hold, in the States of New York and New Jersey, lands necessary for depot purposes and the shipping of coal and other freight, not exceeding twenty acres at any one place.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 241.

## AN ACT

Appointing Commissioners to examine the transactions and conduct of the Northampton Bank of Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. John D. Styles, William Fry and David Laury, of the county of Lehigh, be and they are hereby appointed commissioners to do and perform the several acts and things hereinafter mentioned, to wit: the said commissioners or a majority of them shall give notice in one or more newspapers printed in Lehigh county, for two successive weeks, that they or a majority of them will meet at a certain time and place to be designated by them, in the borough of Allentown, in the county of Lehigh,

for the purpose of examining into and investigating the concerns of the Northampton Bank.

Powers of commissioners.

SECTION 2. That the said commissioners or a majority of them, shall have full power and authority to call upon every person or persons whomsoever, having charge of the books, journals, records and documents of the said bank, or the notes, bonds, judgments, mortgages and accounts, and every other evidence of debt or demand whatsoever, as well those due to as those owing by the said bank, and compel the production thereof either by attachment or otherwise, and to examine into and copy the same or any part thereof, to the time of taking the said examination: the said commissioners shall have full power and authority to call before them as witnesses, the directors or officers of said bank or any of them, or any person who at any time may have been an officer or director of said bank, or any other person or persons, and examine them or any of them on oath or affirmation, touching their knowledge of the transactions of the said bank, or of the directors or officers thereof, or of any other person or persons for them, as well in regard to the manner of subscribing for and the payment of the capital stock of said bank, as the subsequent disposal of the same, or whether the whole of said stock was paid in agreeably to the act of incorporation, and generally to examine the said witnesses as aforesaid in regard to any other matter or thing whatsoever, which the said commissioners or a majority of them may deem necessary and proper, to a full exposition of the conduct of said bank, or the directors and officers or trustee or trustees thereof, or any other person or persons for them, from the time of its incorporation to the time of taking such examination, and the reasons of the failure of said bank.

Power to commit for contempt.

SECTION 3. That the said commissioners or a majority of them shall have full power and authority to commit for contempt, in like manner as the courts of common pleas of this Commonwealth have in similar cases, any person refusing to testify as a witness, or make answer to such interrogatories as the said commissioners or a majority of them may deem proper.

Witnesses.

SECTION 4. That the said commissioners shall have full power to compel the attendance of witnesses before them by subpoena, attachment or otherwise, in like manner as the courts of common pleas of this Commonwealth.

Adjournment.

SECTION 5. That the said commissioners or a majority of them shall have power to adjourn from time to time, as they may deem proper, until they shall have finished such examination, and shall make report of their proceedings, together with the testimony or such part thereof as they may deem proper, to the next Legislature, or to any subsequent term thereafter.

Compensation.

SECTION 6. That the said commissioners shall be allowed each three dollars per day for every day necessarily spent by them in the said examination, and each witness shall be entitled to the same daily pay and mileage as is allowed in the court of common pleas, the same to be paid together with the expense of clerk hire, serving process and advertising, on the warrant or warrants of said commissioners or a majority of them, (on the oath or affirmation of one or more of them that the same is correct,) drawn on the assignees or on the surviving directors of said bank for the payment thereof. *Provided nevertheless,* That the said investigation shall not interfere in the suits now

Proviso.



pending between the creditors of the said bank and the directors of the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 242.

AN ACT

Supplementary to an act for the Encouragement of the Volunteers of the City and County of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first, second, third and fifth sections of an act, entitled "An act for the encouragement of the volunteers of the city and county of Philadelphia," approved March eighteenth, one thousand eight hundred and fifty-two, be and the same are hereby extended and made to apply to the volunteers of every other county of the Commonwealth: *Provided,* That the fine imposed in said act shall be fifty cents in all parts of the State, except Philadelphia city and county, and Allegheny county, which shall be one dollar.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 243.

## AN ACT

To change the time of settling the Township Accounts in the county of Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the time of auditing the township accounts in the county of Huntingdon, shall be changed from the second Monday in April, to the fourth Friday in March in each year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 244.

## AN ACT

To review part of a State Road in Tell township, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Orr, A. C. Blair, James Patterson, John Gooshorn and Samuel Book, are hereby appointed commissioners to review that part of a State road laid out from the town of Mifflin, in the county of Juniata, to the top of Sidling Hill, in the county of Bedford, commencing at the Juniata county line, and terminating at Gooshorn's mill, in Tell township, in the county of Huntingdon.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them (first taking an oath or affirmation before some justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity,) to proceed, as soon after the passage of this act as convenient, to review that part of said road beginning and ending as aforesaid, and alter and change the same as they shall deem expedient; and also to vacate any part or parts of said road that shall or may be supplied or rendered useless by the aforesaid alteration; and the said road shall thenceforth become a public highway, under all the

regulations and provisions of the act authorizing the laying out of the said road, and the cost of the same be paid out of the county treasury of Huntingdon county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 245.

## AN ACT

Supplementary to the act of nineteenth February, Anno Domini, one thousand eight hundred and fifty, relative to the Lancaster County Prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be the duty of the board of inspectors of the Lancaster County prison in the month of January, in the year one thousand eight hundred and fifty-five, and in the month of January in every year thereafter, to appoint one of their number a treasurer of said prison, who shall do and perform all the acts and duties, and be subject to all the liabilities, regulations and provisions, which are imposed and enacted in the ninth section of the seventh article of the act, entitled "An act relative to the Lancaster County prison," passed the nineteenth day of February, Anno Domini, one thousand eight hundred and fifty, upon the treasurer of Lancaster county; and so much of said act as is hereby supplied, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 246.

## AN ACT

To authorize the Pattonsville and Woodberry Turnpike Road company to borrow money, and to secure payment thereof.

Power to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pattonsville and Woodberry turnpike road company, by and through the president and managers, be and they are hereby empowered to borrow any sum or sums of money, not exceeding three thousand dollars, which the board of managers may deem necessary, at any rate of interest not exceeding six per centum per annum, for the purpose of paying the debts now due, or that may become due by said company, for the making or construction of their road: and it shall and may be lawful for the board of managers of said company to secure the money so borrowed, and to provide for the re-payment of the same, either by pledging and transferring all the tolls and revenues of the road by mortgage, or in such manner as may be agreed upon by the parties at the time of negotiating the loan; and in case the tolls and revenues shall prove insufficient for that purpose, after keeping the road in repair, and defraying the necessary expenses for collecting the same, then it shall and may be lawful for the board of managers of said company, at any time after the expiration of three years from and after the passage of this act, after giving due notice to sell the said turnpike road with all its appendages and appurtenances, on such terms as may be fair and proper at public sale, to the highest and best bidder, and for the best price that can be obtained for the same; the proceeds of said sale, after payment of the debts of the said company, to be distributed to and among the stockholders therein, in proportion to the amounts of stock by them respectively held in the same.

Purchasers to have full power to manage the business.

SECTION 2. That in case of the sale of the said turnpike road be made in accordance with the preceding section of this act, the purchaser or purchasers thereof, and their vendees and assigns, shall have full power to conduct and manage the business to be done on said road, by such agents or officers as he or they may deem necessary to appoint, who shall be invested with the same rights, privileges and powers, and be subject to the same duties that are conferred and enjoined on the officers of said company by their charter and act of incorporation; and may also use the corporate name and seal of said company, and shall be vested with all the rights and privileges, and be subject to all the restrictions imposed upon turnpike and plank road companies, contained in the act, entitled "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, in respect to tolls and keeping the road in repair; and shall hold and enjoy the said road, with all

the said franchises, rights privileges, free and discharged of all incumbrances previous to the time of the sale aforesaid.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 247.

### AN ACT

To establish a Ferry over the river Susquehanna at Bishop's Landing, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ferry authorized Joseph M. Bishop, his heirs and assigns, shall have the right and privilege at their own expense, to make good and convenient landings on the east and west side of the Susquehanna river, at and opposite a place called Bishop's Landing, where the State road leading from Wilkesbarre to Tioga Point, Athens, crosses the Susquehanna river from Durell township on the west, to Wysox township on the east side, in Bradford county, and to use the river between the said landings as a public ferry.

SECTION 2. That the said Joseph M. Bishop, his heirs or as- Repair. signs, shall keep the said landing and ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all description, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across said river with all reasonable diligence and care.

SECTION 3. That the said Joseph M. Bishop, his heirs Tolls. or assigns, as a remuneration for keeping up and in good repair the said landings and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Bradford county, or as are received by other ferries of like import crossing said river, and to extend a rope or wire across the river if they may deem it advisable to facilitate crossing: *Provided*, That the rope or wire shall not be so ex- *Proviso.* tended as to interfere with or obstruct the ascending or descending navigation of said river, and that nothing in this act contained shall be so construed as to receive or discharge any traveler, cattle or carriage as aforesaid, on lands belonging to any other person or persons, without the consent of the owner or owners thereof.

Penalty for injuries.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats or other property, or shall take from its mooring any boat or craft belonging to said ferry, he, she or they so offending, shall each of them forfeit and pay to the said J. M. Bishop, his heirs or assigns, the sum of twenty dollars, in addition to all damages sustained by the said J. M. Bishop, his heirs and assigns, to be recovered as debts of like amount are by law recoverable.

Penalty for evading privileges granted.

SECTION 5. That if any person or persons shall seek to evade the privileges herein granted to the said J. M. Bishop, his heirs or assigns, by receiving or discharging travellers, teams, cattle, horses or carriages as aforesaid, at either of the aforementioned landings, or upon the adjoining lands of V. E. or J. E. Piolet, upon the east side of the Susquehanna river, or adjoining lands of the said J. M. Bishop, on the west side of said river, or use the river between said lands for the purpose of ferrying as aforesaid, he, she or they so offending, shall each of them forfeit and pay to the said J. M. Bishop, his heirs and assigns, the sum of fifty cents for each and every traveler, team, cattle, horse or carriage as aforesaid, to be recovered as debts of the like amount are by law recoverable.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 248.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Meadville Theological School."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second proviso of the fifth section of an act, approved the seventh day of April, one thousand eight hundred and forty-six, entitled "An act to incorporate the Meadville Theological school," be and the same is hereby repealed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 249.

## AN ACT

To divide the Borough of Lewisburg, in the county of Union, into Two Wards; and relative to certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the borough of Lewisburg, in the county of Union, shall be and is hereby divided into two wards, in manner following, to wit: All that part of said borough lying north of Market street shall compose one ward, to be called North ward, and all that part of said borough lying south of said Market street shall compose another ward, to be called South ward: *And provided, That the elections for* justices of the peace, burgess, constable and high constable of said borough, shall be held as heretofore, except that voters of said borough shall vote for said officers at the places hereinafter designated, and that all laws relating thereto, shall be and remain as if this act had not been passed.

Borough of Lewisburg divided into two wards.

Proviso.

SECTION 2. That the place of election for the North ward, shall be at the west window of the present election house, and Andrew Kenedy shall be judge, and David Reber and Jonathan Wolfe inspectors, to hold the first general and borough election in said ward.

North ward, place of holding elections fixed.

SECTION 3. The place of elections for the South ward, shall be at the south window of the present election house, and Wm. Wilson shall be judge, and Joseph Green and John A. Mertz inspectors, to hold the first general and borough election in said ward.

South ward, place of holding elections fixed

SECTION 4. That the constable of said borough give the requisite election notice for both of said wards.

Notice.

SECTION 5. That the qualified voters of each ward vote for and elect of their own number annually one judge and two inspectors as an election district; and also one person for council, one person for school director, and one person for overseer of the poor, one person for assessor, and two persons for auditor of the borough, and that the three highest candidates for auditor be elected.

Officers of election.

SECTION 6. That hereafter the general and special election in Weisenburg township, Lehigh county, shall be held at the house of Joshua Seiberling, in said township.

Weisenburg township, Lehigh county.

SECTION 7. That hereafter the general and special elections in Upper Milford township, Lehigh county, shall be held at the public house owned by Charles B. Sheimer, now occupied by George Beck, in said township.

Upper Milford township, Lehigh county.

SECTION 8. That the township of Otto, in the county of M'Kean, is hereby erected into a separate election district, and the general and township elections shall be held at the school house in Prentissville, in said township, and the first township election shall be held on the first Monday of May next, and the officers then elected, shall hold their offices until the same time they would be held if the said township, which is hereby de-

Otto township, M'Kean county.

clared to be legally constituted, had been erected prior to the annual township elections in said county, and the said officers had been then elected.

Officers

SECTION 9. That N. Baldwin is hereby appointed judge, and M. W. Strickland and Arthur Prentiss inspectors of elections, to hold the first election, with the same power and authority as judges and inspectors elected under the election laws; and the said Baldwin is hereby appointed to give notice of the time and place of holding the first election.

Greensburg,  
Westmoreland  
county.

SECTION 10. That until the erection and completion of the new court house in Greensburg, Westmoreland county, the general and special elections of said borough, and of that part of Hempfield township which votes at the said borough, shall be held at the hotel of Henry Kittering, in said borough.

Repeal.

SECTION 11. That the thirteenth section of an act, entitled "An act to erect a new election district out of parts of Coalbrook and Chapman township, Clinton county; relative to the collection of State and county taxes in Spring township, Berks county, and for other purposes," approved the twenty-third of April, one thousand eight hundred and fifty-two, be and the same is hereby repealed: *Provided*, That this section shall not apply to the collector appointed in said Spring township for the present year.

Proviso.

Schellsburg, Bedford county, made a separate election district.

SECTION 12. That the borough of Schellsburg, in the county of Bedford, from a point where the old Pennsylvania road and turnpike forks to Mile Hill run, east and west, to include fifty perches on the north side, and fifty perches on the south side of said turnpike, be and the same is hereby erected into a separate election district, and the qualified electors shall hold their general, special and township elections in the school house in said borough, and Godfrey Zeager is hereby appointed judge, and Jacob Poorman and James Gallepher inspectors of the first election.

Dublin township,  
Fulton county.

SECTION 13. That the qualified electors of Dublin township, Fulton county, shall hereafter hold their general and township elections at the house of George Bain, in Fort Littleton, in said township.

Londonderry  
township, Bedford county.

SECTION 14. That the qualified electors of Londonderry township, Bedford county, shall hereafter hold their general and township elections at the house now occupied by William H. Hill as a shop, in Bridgeport, in said township.

Elkland township,  
Tioga county.

SECTION 15. That the sixth section of an act, entitled "An act to change the place of holding elections in Elkland township, Tioga county, and relative to certain other election districts," approved the twenty-third of March, one thousand eight hundred and fifty-four, be and the same is hereby repealed.

Tyrone township,  
Fayette county.

SECTION 16. That the qualified electors of the township of Tyrone, in the county of Fayette, shall hereafter hold their general and special elections at the Washington school house in said township, any law to the contrary notwithstanding.

Versailles township,  
Allegheny county.

SECTION 17. That the general and township elections of Versailles township, in the county of Allegheny, be hereafter held at the public school house, on the farm of David Shaw, in said township.

Centreville township,  
Union county.

SECTION 18. That the qualified voters of the township of Centreville, in the county of Union, shall hereafter hold their general and township elections at the public school house in Centreville, in said township.

SECTION 19. That the qualified voters of that part of Upper Paxton township, Dauphin county, lying and being without the limits of the borough of Millersburg, shall hereafter hold their general, special and township elections at the public house of Jacob Buck, in said township.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 250.

## A FURTHER SUPPLEMENT

To the Drake's Ferry and Broad Top Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* satisfactory evidence, verified by the oaths of at least two of the officers of said company, be laid before the Governor previous to the enrollment of the act referred to, that the amount required to be paid before issuing of letters patent, has been paid into the treasury of the company in cash, and not by the notes or other securities of the stockholders.

SECTION 2. That the mining privileges granted be limited to the period of twenty years from and after the passage of the act referred to.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 251.

## AN ACT

To supply the Borough of Huntingdon with Water.

Corporation may  
introduce water.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation of the borough of Huntingdon, in the county of Huntingdon, by their president and town council, be and they are hereby authorized and empowered to introduce into the said borough a sufficient supply of pure fresh water, for the use of the citizens thereof, at the expense of the said borough.

To erect works,  
&c.

SECTION 2. That in order to carry into effect the provisions of the foregoing section, the said president and council shall provide, erect and maintain all works and machinery, or engines necessary or proper for raising and introducing into the said borough of Huntingdon, a sufficient supply of fresh and pure water, at any point on the bank of the Juniata river, north of the county bridge: *Provided,* That the same shall not obstruct the navigation of said river, nor interfere with the water rights of A. P. Wilson, Esquire, and shall provide, erect and maintain the necessary buildings and machinery, either by water or steam power, for the purpose of raising and throwing the water on the high-grounds northwest of the borough, and shall provide and erect and maintain all proper cisterns and reservoirs for the reception of the water they may so introduce, and for this purpose they are hereby authorized and empowered by themselves, their agents, artizans, engineers and workmen, with their tools, instruments, carts, wagons and other carriages, and beasts of burden or draft, from time to time, and at all times hereafter, to enter into such lands and enclosures, and public or private roads or highways as may be necessary, and to occupy, dig, ditch and lay pipes through the same, and the same to raise, alter and repair, doing as little damage to private property as possible, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

May enter upon  
lands.

SECTION 3. That the said president and town council of the borough of Huntingdon and their successors in office, their superintendents, engineers, and laborers, with their tools, instruments, carts, wagons and other carriages, and beasts of burden or draft, may enter upon any lands, streets, lanes, alleys or highways laying between the water works on the banks of the Juniata river, and the reservoirs authorized to be constructed by this act, and dig ditches for the purpose of laying pipes from said water-works to the said reservoir or reservoirs, and to lay pipes for the conveying of water through said lands from time to time, and at all times thereafter, and if necessary for the purpose of taking up, repairing and laying down again said pipes as often as the same may be required; and also to take and convey stone, earth, sand or other material necessary to the construction of said reservoirs, or to the proper laying down of the said pipes.

SECTION 4. That the president and town council, for the better carrying out of the object aforesaid in their corporate capacity, shall have power and they are hereby authorized and empowered to purchase any lands which may be required in the construction of said water-works, cisterns, reservoirs, or laying down pipes, or for the purpose of procuring stone, sand, ground or earth, and the same to hold in fee simple, or for any less estate, with full power the same or any part or parts thereof to grant, bargain, sell, alien, convey and dispose of at their will and pleasure.

Power to purchase lands.

SECTION 5. That if the parties cannot agree upon the compensation to be made to the owner or owners of any such lands, enclosures, public or private roads or highways, it shall and may be lawful for either party to present his petition to the court of common pleas of said county, setting forth the facts and praying the court to appoint proper persons to view the lands and premises, and value the same or assess the damages, whereupon the court shall appoint three suitable and disinterested persons of the county of Huntingdon, whose duty it shall be, after being first sworn or affirmed, to view the lands and premises and injuries complained of, and make report of the damages done or the value of said lands to the next court of common pleas, upon which report judgment shall be entered and execution issued as in other cases of debt; nevertheless, should either party feel himself or themselves aggrieved, they shall have the privilege of filing exceptions to said report at any time during the first week of the court, and also the right to a writ of error, for which services the viewers shall be entitled to one dollar per day, and the officers of the court the same fees as for similar services or proceedings in other cases, to be paid in, in all cases by the party against whom report shall be made.

Compensation to owners of land.

SECTION 6. That the president and council of the borough of Huntingdon in council assembled, shall have full power and authority to pass, ordain and enact all laws and ordinances to enable them to convey the said water through the borough in all directions, and to fix hydrants or fire plugs wheresoever they may deem proper, and to fix and determine the uniform rates of prices to be paid by the citizens for the use of the said water, and to protect the water-works, cisterns, reservoirs, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act.

Laws and ordinances.

SECTION 7. That if any or persons shall wilfully take, lead, conduct or carry off, or shall knowingly suffer or permit to be taken, led, conducted or carried off, any offal, or any putrid, noxious or offensive matter, from any dye-house, still-house, brew-house, tan-yard, or shall drain the water from the barn-yard or stable or from any manufactory, into the canal that may be constructed by the president and town council of the borough of Huntingdon for introducing water into said borough, or shall throw, cast or wilfully suffer to fall into the canal or head of the water-works, or into any reservoir or reservoirs to be erected by said corporation of the borough of Huntingdon, or shall go in to bathe or swim said canal, race, reservoir or reservoirs, or shall entice, throw, lead or conduct any animal therein, or shall cut, deface, mutilate or otherwise injure any part of the buildings, machinery or work that may be erected or purchased by the said corporation, in pursuance of the powers given by this

Offensive matter and injury to works.



act, every such person or persons so offending shall forfeit and pay a sum not less than five nor more than fifty dollars, at the discretion of the justice, to be recovered with costs of suit, in the same manner as debts under one hundred dollars, are by law recoverable by any person that shall sue for the same before any alderman or justice of the peace of the borough of Huntingdon; one-half of said fine for the use of the informer and the other to go to the borough treasury: and in all suits for fines or penalties under this act, the informer or person suing shall be a competent witness, notwithstanding his interest in the fine or penalty, and if any person or persons so offending against the provisions of this section shall neglect to pay the amount for which judgment may be as aforesaid rendered against him, and no goods or chattels can be found whereof to levy the same by execution, then every person or persons so offending shall be committed to the jail of the county of Huntingdon for any period of time not less than twenty-four hours nor more than sixty days, according to the discretion of the justice or alderman rendering the said judgment.

Construction of  
act

SECTION 8. That nothing in this act shall be taken to prevent the introducing of water into the borough of Huntingdon, from any spring or stream of running water if the same can be found of sufficient elevation and quantity passing through the lands and premises of the owners, to dig ditches and lay pipes under the same rules and regulations as in the third, fourth and fifth sections of this act: *Provided*, That the same shall be deemed by the president and council of the borough of Huntingdon preferable to the taking of water out of the Juniata river.

*Proviso.*

Borrow money.

SECTION 9. That the president and town council of the borough of Huntingdon, in their corporate capacity, are hereby authorized and empowered for the purpose of carrying into full effect the object of this act, to borrow any sum of money not exceeding twenty thousand dollars, in the name and upon the faith, credit and responsibility of the said borough of Huntingdon, and to issue corporate bonds or certificates of loan for the payment of the same, bearing an interest of six per centum, payable semi-annually, and the principal to be paid agreeably to the terms of the contract; and the said corporation shall have power to impose and assess such tax or taxes from time to time, as may be necessary to pay the interest upon such loan and to redeem the principal, at such time and in such manner as may be conformable to the terms upon which the same is taken: *Provided*, That no corporate bond or certificate of loan be issued for a less sum than one hundred dollars, signed by the president of the council, and attested by the treasurer of the borough under the seal of the corporation.

*Proviso.*

Authority to levy  
and assess a tax.

SECTION 10. That so soon as the corporation have completed their water works and ready to dispose of permits for the use of the water, the corporation are hereby authorized and empowered to levy and assess a tax upon all those who refuse to take the water, equal in amount to what the occupiers of the premises could be charged for water, under the rules and regulations for the disposal of water; this tax to be called a protective tax, in consideration of the use of the water in protecting their buildings from fire.

Borough tax.

SECTION 11. That the corporation of the borough of Huntingdon, by the president and town council, shall hereafter if necessary, levy and assess a borough tax on all taxable property of



said borough, not exceeding fifty cents on the one hundred dollars in any one year on the valuation of taxable property, taken for the purpose of raising county rates and levies.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 252.

A N A C T

To authorize the extension of the Jersey Shore, Pine Creek and State Line Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Jersey Shore, Pine Creek and State Line railroad company be, and is hereby authorized to extend their road from a point on the same, near the mouth of the third fork of Pine creek, in the county of Tioga, by way of said third fork and Crooked creek, to the Tioga railroad near the village of Tioga, in said county, subject to the provisions contained in the act of Assembly incorporating said company.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 253.

## A N A C T

Relative to the Extension of one of the Streets of the Borough of Ebensburg, in Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That that part of the public road leading from Ebensburg to Carrolltown, beginning at the north end of Julian street, in the borough of Ebensburg, county of Cambria, to where it intersects the Ebensburg and Susquehanna plank road, a distance of about forty rods, be vacated as a township road, and hereafter graded and kept in repair by the borough of Ebensburg, as one of the streets of said borough.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 254.

## A N A C T

To incorporate the Prompton and Honesdale Plank Road Company.

Commissioners.

Style.

Subject to provisions of certain act.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Phineas Arnold, William Jenkins, Abram Swart, L. R. Johnston, John Jenkins and George W. Hall, or any four of them be and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Prompton and Honesdale plank road company," with power to construct a plank road from Prompton to Honesdale, in the county of Wayne; upon the best and most eligible ground which shall be decided upon by a majority of the stockholders; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto.*

SECTION 2. That the capital stock of said company shall consist of two hundred and fifty shares of twenty-five dollars each: *Capital stock.*  
*Provided,* That the said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as, in their opinion, may be necessary to complete the road, and carry out the true intent and meaning of this act. *Proviso.*

SECTION 3. That if the said company shall not commence the construction of said road within two years, and complete the same within four years from the passage of this act, the same shall be null and void, except so far as may be necessary to wind up and settle the affairs of said company. *Commencement and completion of road.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 255.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Borough of Jamestown," approved the twentieth day of April, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That after the passage of this act, the territory within the boundaries of the borough of Jamestown, be a separate election district, an integral portion of, and under the jurisdiction of the county of Mercer.

SECTION 2. That the action of the town council in the adoption of a town plot, vacation of alleys, and defining the width of streets in said borough, December the thirty-first, Anno Domini, one thousand eight hundred and fifty-three, be confirmed, revoking all former plots conflicting with the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 256.

## A SUPPLEMENT

To an act entitled "An act to incorporate the First Reformed Congregation of the borough of York and its vicinity," passed the fourteenth day of March, Anno Domini, one thousand eight hundred and forty nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the First Reformed congregation of the borough of York and its vicinity, may purchase and hold in fee simple thirty acres of land, in addition to the quantity they are now authorized to hold, to be laid out and used as a cemetery, subject to the same rules, regulations, by-laws and privileges as their present cemetery: *Provided,* That the whole quantity of land which the said trustees may hold for such purpose, shall not exceed fifty acres.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 257.

## AN ACT

To authorize the Canal Commissioners to Assess Damages arising from the destruction of Property on the Public Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized and empowered to examine into all cases of damages arising, or that may have arisen heretofore from injury done, or that may hereafter be done to boats, cars and merchandise or other property, upon any of the canals or railroads of the Commonwealth; and it shall be their duty in all cases, when they shall ascertain that such damage was occasioned by any defect in the condition of the proper canal or railroad, or the machinery thereof, or by the misconduct or culpable negligence of any officer or agent of the State, and that the persons owning, or having charge for the owner of such boats or cars, have exercised due vigilance and

care, they shall assess the amount of the actual loss, and report the same, together with a full statement of the facts, to the Legislature: *Provided*, That in no case shall any allowance be made, except for the actual injury which may have been done to the boat or car, and the merchandise contained therein; and no item of damage shall be allowed, unless the amount of the loss, deducting the value of the damaged boat, car or merchandise, shall be clearly established by affidavit; and in every case where allowance shall be made in consequence of the misconduct or negligence of a State agent or officer, they shall discharge said agent or officer, and report to the Legislature, stating the fact of his discharge, and the amount of the accrued wages or salary which they have retained under the provisions of the act of the eleventh of April, one thousand eight hundred and forty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 258.

## A N A C T

Relative to the Pittsburgh and Connelsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburgh and Connelsville railroad company be and the same is hereby authorized to issue its bonds heretofore authorized, bearing any rate of interest not exceeding seven per cent. per annum, convertible at the will of the holder into the stock of the company at par, or on such terms as may be agreed upon, and any sale of said bonds for a less amount than their par value, shall not be construed to be a violation of the usury laws of this Commonwealth. Bonds to be issued.

SECTION 2. That the Uniontown and Waynesburg railroad company, chartered by act of April eighteenth, one thousand eight hundred and fifty-three, be and hereby is authorized to transfer all its rights, powers and privileges on such terms as may be agreed upon, to the Pittsburgh and Connelsville railroad company, which is hereby authorized to construct a branch road on the contemplated route of said Uniontown and Waynesburg railroad. Transfer of rights.

SECTION 3. That the provisions of an act entitled "An act authorizing the city of Pittsburg and Allegheny, and the boroughs of West Newton and Connelsville, to subscribe to the Extension

the stock of the Pittsburgh and Connelsville railroad," and for other purposes, approved the ninth day of April, Anno Domini, one thousand eight hundred and fifty-three, be and the same is hereby extended to the borough and township of Somerset.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 259.

## A N A C T

To authorize the German Reformed Congregation, in the Northern Liberties of the city of Philadelphia, to sell Real Estate.

WHEREAS, By the fifth section of an act, approved the eighth day of April, one thousand eight hundred and fifty-three, entitled "An act to authorize the burgess and town council of the borough of Indiana, to assess and collect a special tax to pay for land damages, et cetera," the German Reformed congregation in the Northern Liberties, of the county of Philadelphia, were authorized to sell and dispose of the burial ground and lot belonging to them, situate on Brinton, now Howard street and Hope alley, now Hope street, in the district of Kensington, and county of Philadelphia:

*And whereas,* It has since been discovered that a portion of said burial lot was not at that time vested in, but the same has since been conveyed to said corporation by John C. Benfer; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the German Reformed congregation in the Northern Liberties, of the city of Philadelphia, be and hereby are authorized to sell and convey the said burial lot on Howard street, as the same is now vested in them; such sale to be subject to all the provisions of the fifth section of the act of April eighth, one thousand eight hundred and fifty-three, above recited.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 260.

## AN ACT

To authorize the Lawrenceville and Sharpsburg Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Lawrenceville and Sharpsburg plank road company be and the same is hereby authorized to borrow any sum of money, not exceeding ten thousand dollars, to pay for the construction of the said road, and to issue bonds, and mortgage the said road and its appurtenances, for the payment of the same: Provided, That no bond shall be issued for a less sum than one hundred dollars.*

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 261.

## AN ACT

Relative to Wager Street, in the County of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ninth section of the act of Assembly passed the eighth day of April, Anno Domini, one thousand eight hundred and fifty-one, entitled "A further supplement to an act passed the twenty-seventh day of February, Anno Domini, one thousand eight hundred and forty-seven, entitled 'An act to incorporate the district of Richmond, in the county of Philadelphia; in relation to the security of tax collectors in said county; to streets in Germantown; to the vacation of Wager street, in the district of Kensington, and relating to a school house in Philadelphia county'" shall not be construed to authorize the closing of the said Wager street until such time as Delaware Fifth street, from the said Wager street to the Germantown road, and Chatham*

street, from Fourth street to said Germantown road, in said district, shall be actually opened for public use.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 262.

## AN ACT

To incorporate the Clearfield Plank Road Company

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William P. Dysart, A. Caldwell, John Anderson, Jacob Covode, William Smiley, John Kratzer, James T. Leonard, Abraham K. Wright, William Irwin, John Patton, Andrew Moore, Isaac Kirk and Thomas B. Davis, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Clearfield plank road company," with power to construct a plank road or turnpike, or a road partly plank and partly turnpike, subject to the provisions of the general laws regulating turnpike and plank road companies; to extend from the present terminus of the Tuckahoe and Mount Pleasant plank road, near Mount Pleasant, to intersect the Erie turnpike at any convenient point in the direction of Clearfield or Curwinsville, with authority to extend the same to the towns of Clearfield and Curwinsville, or to any other point or points in Clearfield, or adjacent counties, to which the parties interested in said improvement, or the accommodation of the public, may require it to be extended.

Commissioners.

Style.

Subject to provisions of certain act.

Capital stock.

Commencement of road

SECTION 2. That the capital stock shall not exceed four thousand shares at twenty-five dollars each.

SECTION 3. That the road shall be commenced within three years, and finished for a distance of twenty miles within ten years, or this act shall become null and void.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 263.

## AN ACT

Supplementary to an act to incorporate the Borough of Freeport.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That <sup>Vacation</sup> all that certain street on Todd's Island, in the borough of Freeport, county of Armstrong, running at right angles from the lower end of Main street, along the line of lots belonging to the estate of Peter Ford, deceased, to the eddy which separates said island from the main land, be and the same is hereby vacated..

SECTION 2. That the office of high constable of said borough be and the same is hereby abolished, and that the constable provided for by the sixth section of the act of Assembly incorporating said borough, to which this is a supplement, shall succeed to the rights and duties heretofore conferred and imposed by the aforesaid act of incorporation upon the said high constable, and that he the said constable shall also hereafter be compelled, under a penalty of twenty dollars, in case of neglect or refusal, to receive and collect the duplicate of borough taxes of said borough; and that the said constable and his sureties given for the faithful discharge of his other duties as constable, shall be responsible for the amount of said duplicate so received by him, subject however to such exonerations as the council shall make. <sup>Office of high constable abolished.</sup>

SECTION 3. That the burgess and council of said borough are <sup>Tax.</sup> hereby empowered to levy, in addition to that authorized by the act to which this is a supplement, a borough tax not exceeding five mills on the dollar of the assessed value of property in said borough, for the purpose of liquidating the existing debt of said borough: *Provided,* That the said tax shall be levied <sup>Proviso</sup> annually and not oftener, until the said debt is discharged, and shall be kept in a separate and distinct duplicate, which shall be received and collected by the aforesaid constable under the same penalties and responsibilities contained in the preceding section: *And provided further,* That the said tax shall not be applied to <sup>Proviso.</sup> anything except the payment of said debt.

SECTION 4. That the fines imposed by this act shall be sued <sup>Fines, how sued for.</sup> for and recovered in the name of the burgess and council of the borough of Freeport, at the instance of the burgess or assistant burgess, in the same manner that debts of a like amount are by law recoverable, with costs of suit, and when collected shall be paid into the treasury for the use of said borough.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WILLIAM BIGLER.



No. 264.

## AN ACT

Relating to Dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties.

Dogs, registering  
of

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the respective clerks of the court of quarter sessions of the counties of Allegheny, Chester, Northampton, Schuylkill and Lancaster, shall, as soon after the passage of this act as possible, procure a docket, at the expense of the county, for the registering of dogs in the manner following, to wit: The owner of any dog within the counties of Allegheny, Chester, Northampton, Schuylkill and Lancaster, who shall furnish to the clerk aforesaid a description of his or her dog, giving the name, age, color, height, and such other marks, description and designation as he or she may be able to give, the clerk shall enter the same at length on his docket, and furnish the owner with a certified copy of the registry so made, for which services the clerk shall receive the sum of one dollar, one-half for the use of the county in which such registry is made.

Transfer of cer-  
tificates.

SECTION 2. That the owner of any dog so registered selling the same, may transfer such certificate of registry to the purchaser, who, on presenting the same to the clerk, shall note the transfer on his docket, and index the same in the name of the person purchasing, and the same shall stand to his or her benefit and advantage; and so of all future purchasers observing the provisions of this section, as fully and effectually, as for the person in whose name the same was first registered, for which entry of transfer and indexing the same, the clerk shall be entitled to receive the sum of twelve and a half cents.

Dogs personal  
property.

SECTION 3. That all dogs registered according to the provisions of this act, are hereby declared to be personal property; and such dogs so registered as aforesaid, shall be as much the subject of larceny, as any other kind of personal property; and every person so stealing and taking away such dog, shall be liable to prosecution and indictment in the court of quarter sessions, and on conviction thereof, shall be sentenced by such fine or imprisonment, or both, as the court in their discretion may think proper.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 265.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Borough of East Mauch Chunk," approved the twenty-first day of January, in the year of our Lord, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Power to borrow money. for the purpose of providing for a supply of water for the use of the inhabitants of the borough of East Mauch Chunk, the burgess and town council of said borough are hereby authorized, if they shall think proper so to do, to borrow any sum or sums of money, not exceeding in the aggregate the sum of ten thousand dollars, and to issue certificates of loan therefor, payable not more than ten years after the date thereof, and bearing interest not exceeding six per centum per annum, no bond to be issued for less than the sum of one hundred dollars: *Provided,* That Proviso said burgess and town council may stipulate to pay all taxes which may by force and virtue of any law of this Commonwealth, be levied on said money loaned.

SECTION 2. That the said burgess and town council, for the Tax to be levied purpose of paying the interest on the loan aforesaid, and to provide for the extinguishment of the principal when the same shall become due, are hereby authorized annually to levy and collect, upon all property in said borough made taxable for county purposes, such tax not exceeding in any one year fifty cents on the hundred dollars, as shall be necessary in addition to the water rents hereinafter mentioned for the purpose aforesaid, and also to fix the rates to be charged for the use of the water and collect the same: *Provided,* That the rates to be Proviso charged to the citizens for the use of the water aforesaid, shall not exceed the rates now charged by the Mauch Chunk water company for similar use: *And provided also,* That no citizen of Proviso. said borough who is rated for the use of said water an amount equal to or exceeding the sum of five dollars per annum, shall be subject to the payment of the water tax aforesaid.

SECTION 3. That if the burgess and town council shall deem Erection of works it inexpedient out of the borough funds to erect the proper water works and fixtures, for the supply of the inhabitants of the borough, and the same shall be erected by a company incorporated for that purpose, it shall and may be lawful for the said burgess and town council annually to levy and collect such tax as they shall think proper and expedient, not exceeding in any one year the sum of fifty cents on the hundred dollars of taxable property; and the tax so levied and collected shall annually be set apart and invested as may be directed by said burgess and town council, as an accumulating fund for the purchase by the borough of the rights and property of the water company, by which said works shall be erected, whenever the said borough

may, by the terms of the charter of the said company, become the purchaser of said works.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 266.

## AN ACT

to re-annex certain Farms to Clarksville Borough, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourteenth section of an act, entitled "An act to incorporate the Caledonia Cold Spring association; repealing the ninth section of an act of April fifteenth, eighteen hundred and fifty-two, erecting the borough of Waynesboro' into an independent school district; relative to the Pittsburgh and Steubenville turnpike road company; attaching certain farms to Pymatuning township, Mercer county, et cetera," approved the twenty-eighth day of March, Anno Domini, one thousand eight hundred and fifty-three, be and the same is hereby repealed.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No 267.

## A N A C T

To authorize a Settlement of Accounts between Franklin township, in Columbia county, and Mayberry township, in Montour county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin P. Fortner and D. C. Ellis, of Columbia county, and Mayberry Gearhart, of Montour county, be and they are hereby appointed auditors, to audit and settle the accounts between Franklin township, in Columbia county, and Mayberry township, in Montour county, relating to taxes and expenditures for the year when said townships were separated, and make report thereof, to be filed in the court of quarter sessions of Columbia county, which shall be conclusive, unless appealed from as hereinafter provided.*

SECTION 2. That it shall be the duty of said auditors to examine and settle all the unsettled accounts of Franklin township, as it existed prior to a portion of said township being annexed to Columbia county: *Provided, That an appeal shall lie in all cases arising under this act, from the decision of said auditors, to the proper court of Columbia county, in the manner provided by law for appeals from township auditors.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 268.

## A N A C T

To incorporate the West Chester and Unionville Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Commissioners Charles L. Seal, Jesse Pusey, Joseph D. Chambers, David W. Chalfant, Isaac Jefferis, Job Hayes, Thomas W. Parker, Stephen Baker, Emmor Seeds, junior, Marshall B. Hickman, T. W. Parker, Hill Brinton, Edwin James, Cheyney Jefferis, Caleb Brinton, Cheyney Nields, Samuel Way, B. M. Everhart, George W. Pearce, Wilmer Worthington and John B. Brinton, of*

- Style.** Chester county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name and style of the West Chester and Unionville plank road company, with power to construct a plank road beginning at a point near the Unionville academy, in Unionville, Chester county, and terminating where the borough line crosses the west end of Miner street, in West Chester, Chester county, with power also to locate their road on the whole or any part of the ground occupied by any public road, as the company may deem fit and proper, in pursuing the best and nearest route between the points specified, subject to all the provisions and restrictions of an act entitled "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, except as hereinafter enacted.
- Subject to provisions of certain act.**
- Capital stock.** SECTION 2. That the capital stock of said company shall consist of two thousand shares, at thirty dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock so much as in their opinion may be necessary for the completion of the road, and to carry out the true intent and meaning of this act.
- Proviso.**
- Gates.** SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect a gate or gates and receive tolls, agreeably to the thirteenth section of the act of the twenty-sixth of January, Anno Domini, one thousand, eight hundred and forty-nine, aforesaid.
- Viewers.** SECTION 4. That the viewers to be appointed by the Governor, as authorized by the twelfth section of the act last aforesaid, may be appointed when the said company shall have finished two miles or more of said road.
- Commencement and completion of road.** SECTION 5. That if the said company shall not commence the construction of the said road within four years, and complete the same within six years from and after the passage of this act, then the same shall become null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company.

E. B. CHASE,  
*Speaker of the House of Representatives*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 269.

## A N A C T

Repealing the eighth and ninth sections of an act relating to Taxing Dogs in Rome township, Bradford county, and relative to a certain street in Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth and ninth sections of an act, entitled "An act to incorporate the Frankford and Germantown turnpike road company in the county of Philadelphia; to lay out a State road in Armstrong and Jefferson counties, to the borough of Patterson; to Flower street, in the district of Moyamensing, Philadelphia county; and to the duties of assessors in Rome township, Bradford county," approved the eighteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 270.

## A S U P P L E M E N T

To an act, entitled "An act to authorize the Governor to incorporate the Philadelphia and Baltimore Central Railroad company," approved the seventeenth day of March, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Philadelphia and Baltimore central railroad company, incorporated in pursuance of an act of Assembly of this Commonwealth, passed seventeenth of March, Anno Domini, one thousand eight hundred and fifty-three, to form a union with the Baltimore and Philadelphia railroad company, incorporated under laws of the State of Maryland, so that the stock of the companies may constitute a common stock, upon such terms and conditions as the said companies shall respectively agree upon; and that as soon as such union shall have been effected, and a true copy of the agreement made for that purpose, (duly certified under the corporate seals of the two



companies,) shall have been filed in the office of the Secretary of this Commonwealth, the stockholders of the said companies shall become one body politic and corporate, under the name and style of the "Philadelphia and Baltimore Central railroad company," with all rights and privileges incident to a corporation, and with all rights, powers and privileges which, by virtue of any law of this Commonwealth, are now vested in the Philadelphia and Baltimore central railroad company.

SECTION 2. That it shall be lawful for the stockholders of the Philadelphia and Baltimore central railroad company, within ninety days from the passage of this act, to hold an election for a president and twelve directors for the said company, to serve until the second Monday of January next, and until others are chosen; said election to be conducted, in all respects, in accordance with the provisions of section four of the act regulating railroad companies.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 271.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the United States Insurance Annuity and Trust Company," passed April the twenty-sixth, Anno Domini, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth section of an act, entitled "An act to incorporate the Pennsylvania company for insurance on lives and granting annuities, and other purposes," passed on the tenth day of March, one thousand eight hundred and twelve, the powers and privileges of which have been extended to the United States insurance Annuity and Trust company, shall be altered, so as to have the words "including contracts with minors" inserted immediately after the word "contracts," occurring in the sixth line of said section.

SECTION 2. That section sixth, in supplement to an act to incorporate the Pennsylvania company for insurance on lives, and granting annuities and other purposes, passed on the tenth day of March, Anno Domini, one thousand eight hundred and twelve, the powers and privileges of which have likewise been extended

to this company, shall be altered, so as to read "the said company shall and may, whenever required so to do, issue certificates for the amount of all moneys or securities deposited with them in trust; which certificates shall be assignable, transferable and payable, under such regulations as may be prescribed by the president and directors."

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 272.

## A SUPPLEMENT

To an act authorizing the laying out of a State Road from the Wilkesbarre and Bridgewater turnpike road at or near the town of Dimmock, Susquehanna county, to the Lackawanna and Western railroad, near the Tunkhannock depot, in the county of Wyoming, and authorizing the laying out of a State Road from Tunkhannock, in Wyoming county, to Towanda, in Bradford county, passed the ninth day of April, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. O. S. Beebe, Embly Shafer and A. J. Davis, are hereby appointed commissioners to review that portion of the State road, laid out under the provisions of the first six sections of the act to which this is a supplement, leading from the town of Dimmock, in Susquehanna county, to the Lackawanna and Western railroad, which lies between the height of land near Ephraim Vails, in the township of Lathrop, Susquehanna county, and the said railroad, and if upon examination the said commissioners shall judge it conducive to the public good, and the general interests of the community to be accommodated by such road, and secure a nearer and cheaper route with a grade equally favorable, or one that when made shall not exceed an elevation of four degrees from the horizon, they are hereby authorized to change the location of said road so as to intersect the said rail at or near the Hopbottom station thereon.

SECTION 2. That the said commissioners are also hereby authorized to review that portion of said road in the township of Dimmock, aforesaid, and if they think it expedient to change the location of the same, so as to follow the present road between the bridge across the Meshoppen creek and the house of John Gates, and to make such other changes in the route of said road as shall lessen the costs of construction and reduce

the damages assessed, without increasing the grade of the road when made above four degrees.

Subject to provisions of certain act.

SECTION 3. That in performing the duties authorized or prescribed by this act, the said commissioners shall have all the powers and be subject to all the provisions of the second, third, fourth, fifth and sixth sections of the act to which this is a supplement, which are hereby re-enacted and made applicable to the said road, with such changes and alterations as the said commissioners may make.

Subscriptions.

SECTION 4. That the citizens or owners of property in the several townships through which the said road passes, are hereby authorized to subscribe towards the making thereof, such sums as they may choose, which sums when paid either in money or work, shall be credited in payment of such road taxes as have been or may thereafter be assessed upon the property held by them respectively, in such townships, and all such payments shall be immediately applied by the respective supervisors or road masters to the construction of said road, and all damages to the property through which said road passes, as assessed under the provisions of said act, shall be paid by the commissioners and treasurer of the respective counties, as other road damages are paid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 273.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Altoona and Clearfield Plank Road and Turnpike Company," approved the eleventh day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the said act to which this is a supplement, shall be so amended, that the capital stock of said company shall consist of fourteen hundred shares of twenty-five dollars each; and that whenever five miles of said road are completed, the said company may erect toll-gates and receive tolls, and be in all respects subject to the provisions of the general law regulating plank road and turnpike companies, approved the twenty-



sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 274.

### A N A C T

Supplementary to an act, entitled "An act relating to Roads, Highways and Bridges."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the exemptions of the act approved the thirteenth day of April, Anno Domini, one thousand eight hundred and forty-three, relative to roads and bridges in the counties of Bedford, Washington, Westmoreland, Tioga, Potter, Cambria, Somerset, Armstrong, Allegheny and Susquehanna, be and the same is hereby extended to the county of Erie.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 275.

### A S U P P L E M E N T

To the act, entitled "An act to incorporate the Susquehanna Coal and Coal Mountain Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Susquehanna Coal and Coal Mountain company, be and are*

hereby authorized to fix the par value of the shares of the stock at any sum not exceeding thirty dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 276.

## A SUPPLEMENT

To an act incorporating the Kensington and Frankford Plank Road Company, approved the thirteenth day of February, Anno Domini, one thousand eight hundred and fifty-three.

Written agree-  
ment to be filed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at any time after five years from the completion of said plank road and the opening thereof, by the commissioners appointed for that purpose, as per section twelve of a general act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand, eight hundred and forty-nine, it may be lawful for those owning or representing a majority in value and extent of the property bordering upon said road, as ascertained by the provisions of the second section of the act to which this is a supplement, to file with the prothonotary of the court of common pleas of Philadelphia county, their written agreement, that the expenses of said plank road shall be assessed against and be charged upon the property along the line thereof: the said court may then make an order or decree, declaring the said plank road to be a public and free highway, whereupon all right of said company to charge toll thereon or therefor shall forever cease, and the said company shall thereupon have a right to collect from the owners of property along the line of said road, the cost of the construction of said plank road, as ascertained by the provisions of the said second section of the act to which this is a supplement, with interest, in proportion to the extent of their respective fronts on said road.

Tolls.

SECTION 2. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and receive tolls, agreeable to the conditions and restrictions of the act relating to turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 3. That the seventh section of the act to which this Repeal. is a supplement, and all acts or parts of acts, contrary to the provisions of this act, be and the same are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 277.

## A N A C T

To authorize the Supervisors of the Borough of Northumberland, in the county of Northumberland, to collect Road Taxes, assessed and levied in said borough, in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the supervisors of the borough of Northumberland, in the county of Northumberland, on giving security, to be approved by the town council, are hereby authorized and required to collect the road taxes assessed and levied in the said borough, in money, to be expended by the supervisors under the direction of the town council; and in case the said supervisors shall neglect or refuse to give the said security, it shall be lawful for the town council to appoint one or more persons to collect the said taxes, with the same powers and authorities as collectors of State and county taxes are by law invested with; and all acts inconsistent with this act are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 278.

## A N A C T

To settle the claim of Captain Benjamin Douglass, and others

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Auditor General be and he is hereby authorized to examine the claims of the following persons, for moneys alleged to have been paid by them for militia expenses, viz : Captain B. Douglass, the sum of forty dollars; John S. Officer, nineteen dollars fifty-one cents; Francis Nesbit, forty dollars; Alfred Martin, sixteen dollars twenty-six cents; Thomas A. Davidson, twenty dollars; Henry M. Kirk, thirty dollars; John Dixon, forty dollars; Samuel H. Davidson, forty dollars; Major Alvah Leonard, three dollars; and the State Treasurer is hereby authorized to pay the amounts which may be found due.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 279.

## A N A C T

To prevent obstructions to the navigation of Oswayo Creek or its tributaries, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful for any person or persons to deposit any slab or slabs, stump or stumps, or any other obstructions in the Oswayo creek, its tributaries, or tail-race of any mill on said creek, or to put any such obstructions below high water mark, where they would be liable to be floated by high water into said stream, within the county of Potter, which has been declared by law a public highway, and any mill-owner suffering the same to be done, or any person having charge of a saw-mill, or any person or persons offending against the provisions of this act, shall on conviction thereof

be fined in any sum not less than ten dollars, nor more than fifty dollars, at the discretion of the said justice, one-half to be paid to the person prosecuting, and the other half to be paid to the treasurer of the proper township in which the offence was committed, to be appropriated towards removing obstructions from the said Oswayo creek, within the said townships, and it is hereby made the duty of the road commissioners of any township in the county of Potter, in which said creek or creeks may pass, to attend to the removing of obstructions from the said Oswayo creek, so far as the fines accruing under this act shall be applicable.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 280.

## A N A C T

To authorize the Trustees of the Danville Academy to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Danville academy be and they are hereby authorized to borrow, or obtain on loan, such sum or sums of money, and on such terms as they shall think expedient, not exceeding in the whole three thousand dollars; and to secure the payment of the money which they shall borrow as aforesaid, the said trustees are hereby authorized to execute and deliver to the person or persons or body corporate from whom they shall borrow the same, a bond or bonds, with mortgage or mortgages, upon any real estate belonging to or held by the said trustees: *Provided,* That no bond issued under the provisions of this act, shall be for a sum less than one hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 281.

## A N A C T

To incorporate the Gordonville Turnpike or Plank Road Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Commissioners. Hathorn Freeland, Joseph Königmacher, Doctor J. B. Freeland, Christian Ebersole, Anthony E. Roberts, Ephraim Bear, Edward Jacobs, David Graff, John S. Stager, Christian Sensenig, John Vogan and Doctor Isaac Winters, are hereby appointed commissioners to open books, receive subscriptions, and organize a
- Style. company by the name, style and title of "The Gordonville turnpike or plank road company," with power to construct a turnpike or plank road from a point in the New Holland turnpike road, in West Earl township, in the county of Lancaster, near Ephraim Bear's store-house, to a point at or near the warehouse of Hathorn Freeland, on the south side of the Columbia and Philadelphia railway in Leacock township, Lancaster county
- Subject to provisions of certain act. aforesaid, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.
- Capital stock. SECTION 2. That the capital stock of the said company shall consist of five hundred shares of twenty-five dollars per share:
- Proviso. *Provided*, That said company from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.
- Tolls. SECTION 3. That whenever the said company shall have finished the said turnpike road or plank road, the length whereof being less than five miles, the same proceedings may be had, to enable the company to erect and fix gates upon and across the same and collect tolls, as is provided in the aforesaid act of Assembly, in relation to any five miles of a turnpike road finished.
- Commencement and completion of road. SECTION 4. That the said company shall commence said road within three years, and finish it within the space of six years, and failing so to do, the provisions of this act shall be null and void.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 282.

## A N A C T

To authorize the Judges of the District Court of Allegheny County, to regulate fees in Equity Cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the judges of the district court, for the county of Allegheny, to make and establish a tariff of fees and costs in equity cases.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 283.

## A N A C T

To authorize the Burgess and Town Council of the Borough of Media to erect Water Works, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirty-second section of an act entitled "An act to incorporate the borough of Media, in the county of Delaware, and relating to Carbon county," approved the eleventh day of March, Anno Domini, one thousand eight hundred and fifty-one, shall be so construed as to authorize the county commissioners and directors for the support and employment of the poor in Delaware county, to grant and convey to the burgess and town council of said borough, and their successors forever, on such terms as may be mutually agreed upon, all such lands, water rights and privileges belonging to or held, for the use of said county, as may be necessary to enable said borough authorities to erect, put in operation and forever maintain such water works and basin, as may be of sufficient power and capacity to raise and contain, with an ample head, all the water a certain stream passing through the western end of the farm now held by the said county commissioners and directors aforesaid, is capable of supplying,

Construction of  
thirty-second sec-  
tion of certain  
act.

and such other water as may be procured elsewhere, and also to lay such pipes or mains, as the borough authorities may deem requisite to conduct the water to any and every part of the said borough.

Powers of county  
Commissioners.

SECTION 2. That the county commissioners aforesaid are hereby further authorized and empowered to contribute, on behalf of said county, towards the expense of furnishing a supply of water to said borough as aforesaid, any such sum or sums of money as they may deem sufficient and necessary, to assist the borough authorities in erecting the same, and to enter into such agreement with the said borough authorities as they may deem proper, to secure for the use of the county prison, court house and public offices within the limits of said borough, a constant and ample supply of water at all times forever, and they, the said county commissioners, shall have authority to create negotiable or transferable bonds in favor of the said borough authorities, payable at a time named therein, with interest not exceeding six per centum per annum, payable annually, for the redemption of which their successors in office, on behalf of the county of Delaware, shall be held liable at any time after they shall become due, and pay over the same in lieu of money to the borough authorities, in conformity with the stipulations authorized by this section.

Agreement to be  
entered into.

SECTION 3. That the burgess and town council of the said borough of Media, are hereby authorized to enter into such agreement with the county commissioners and the guardians for the support and employment of the poor as aforesaid, as may be necessary to bind the said county commissioners, guardians of the poor and the borough authorities, severally and each of their successors forever, to a compliance with terms which may be mutually satisfactory, to secure for the benefit of the inhabitants of said borough, and the public buildings and offices of said county therein situated, an ample supply of good and wholesome water forever, and to receive, occupy, hold, sell, grant and convey, negotiate and appropriate any and every description of property, funds or evidences of debt contributed by said county authorities, or from any other source, and to proceed by loan, on the credit of the said borough, any additional amount of funds required to accomplish the said purpose, subject to the provisions and limitations contained in the ninth section of the act to which this is a supplement, approved March eleventh, one thousand eight hundred and fifty-one.

Construction of  
water works, &c.

SECTION 4. That it shall be lawful for the said burgess and town council, to construct such water works and appurtenances, and forever maintain the same, as may be deemed and found adequate to furnish the requisite quantity of water for the full supply of the necessary demands of the inhabitants and public buildings within said borough, and to use the water from any streams or springs within the limits of said borough hereinbefore named, or others, or any elsewhere found, paying to those interested a just and equitable compensation for any damage by them sustained, to be adjusted by mutual agreement, or in the case of disagreement by application to the court of common pleas of said county, as in cases of public road or bridge damages: *Provided*, That nothing herein contained shall authorize the borough authorities as aforesaid, to enter on the lands or appropriate the property of persons with whom an agreement cannot be effected, without first giving adequate security for the payment of any damages

Proviso.

they may occasion; to be approved by one of the judges of the court of common pleas of Delaware county.

SECTION 5. That the burgess and town council of said borough Ordinances. are hereby authorized and empowered to enact and enforce such ordinance or ordinances, as may be found necessary to regulate the terms and conditions upon which the inhabitants of said borough may be supplied with water from the works so constructed, and to provide penalties and punishments for damages or misuse of any parts of the property or fixtures employed, or for violation of the regulations for their management, and to enforce and inflict the same, as in cases of the evasion or violation of other ordinances.

SECTION 6. That the said town council shall have full power and Further powers authority, if they deem it expedient, on the application in writing of two-thirds in value of the property holders on any street, lane, road or alley, or part thereof, to pave with stone or macadamize the carriage or road way of such street, lane, road or alley, or part thereof aforesaid, in such manner as shall be prescribed by ordinance of said town council, under the same regulations as are provided for curbing and paving the footways and gutters, in the twenty-first section of the act incorporating said borough, approved March eleventh, one thousand eight hundred and fifty: *Provided*, That the notice required to be Proviso. given to owners of property for paving and curbing footways and gutters, and also paving or macadamizing the road and carriage ways, shall be deemed sufficient, when the said town council shall have posted handbills containing the ordinance requiring said curbing or paving, in ten of the most public places in said borough, for thirty days prior to said ordinance going into effect.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 284.

## A N A C T

Declaring certain Lands lying in Clarion county, to be attached to Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the division line between the counties of Clarion and Venango, as runs through the farm belonging to, or in the possession of James F. Agnew, shall be so changed as to em-*



brace and include the whole of said farm in the county of Venango; and all that part of the said farm now in the county of Clarion, shall be and is hereby attached to the county of Venango.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 285.

AN ACT

Relative to the Lancaster Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ninth section of the act to incorporate the Lancaster gas company, approved April seventh, one thousand eight hundred and forty-nine, be and the same is hereby so amended, as to require the dividends of said company to be declared on the first Mondays of January and July in each year.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 286.

## A FURTHER SUPPLEMENT

To an act for establishing a Health Office, and to secure the City and Port of Philadelphia from the introduction of Pestilential and Contagious diseases, passed twenty-ninth of January, one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lazaretto Physician and Quarantine Master shall, from and after the passage of this act, receive annually the following salaries, that is to say, the Lazaretto Physician, the sum of fifteen hundred dollars, and the Quarantine Master, the sum of one thousand dollars, to be paid quarterly, by an order drawn by the Board of Health on their treasurer, anything in the thirtieth section of the act to which this is a supplement to the contrary notwithstanding; and so much of said act as fixes the salary of the Lazaretto Physician and Quarantine Master, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 287.

## A N A C T

To incorporate the Farmers', Drovers' and Butchers' Drove Yard, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Imhoff, Jacob Frantz, Peter Brough, William T. Feilis, Charles P. Bower, Frederick Feichner, Henry K. Harnish, Peter Fisher, Edward Wartman, Ferdinand Geisler, Jacob Lentz, Henry Root and Michael D. Wartman, and such other persons as they may associate with them, their successors and assigns, be and they are hereby created and made a body politic and corporate, by the name, style and title of "The Farmers', Drovers' and Butchers' drove yard company," for the purpose of providing a

Corporators.

Style.

Privileges. place for the sale and safe keeping of cattle, sheep, swine, and other live stock; and by that name may sue and be sued, plead and be impleaded in any court of law or equity whatsoever, in all suits and actions; and may have and use a common seal, and at pleasure alter the same; and for the purposes of the corporation, may purchase, hold and convey, real and personal estate in the county of Philadelphia, in an amount not exceeding fifty thousand dollars, which shall constitute the capital stock of said company, and shall be divided into shares of fifty dollars each.

Meetings. SECTION 2. That the first meeting of said company shall be called by the persons named in the first section of this act; which said meeting shall be held in the city of Philadelphia, at such time and place as may be agreed upon by the persons named in the first section of this act, by giving at least ten days' notice in one or more daily newspapers published in said city: the persons named in the first section of this act shall be the first directors, and continue in office until the second Tuesday in May next, and until their successors are duly elected and qualified.

Management of affairs. SECTION 3. That the property and affairs of said company shall be managed and conducted by seven directors, being stockholders and citizens of this Commonwealth; the president shall be appointed, by the directors, from one of their number; and the president and directors shall have power to appoint such other officers and agents as may be deemed necessary to carry on the business of said company, and fill all vacancies that may occur, from any cause, in their own body, and make all needful by-laws, rules and regulations for the government of said corporation, not inconsistent with the laws of this Commonwealth or of the United States.

Annual election of directors. SECTION 4. That the annual election for directors shall take place on the first Tuesday in May, and if from any cause an election of directors shall not take place at the appointed time, it shall not therefore work a forfeiture of charter, but a new election shall be held in conformity with the by-laws of said company.

Books of record. SECTION 5. That it shall be the duty of the president and directors of said company, to have regular books of record and transfer kept by the secretary or treasurer thereof, which shall be open at all times to the inspection of the stockholders.

Liability. SECTION 6. That the stockholders in said company shall be jointly and severally liable, in their individual capacity, for all debts and contracts made or entered into by said company; which said liability may be enforced in any court of law or equity in this Commonwealth having jurisdiction.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 288.

## AN ACT

Revising the act incorporating the First Baptist Church, Newtown township, Delaware county, approved the tenth day of March, Anno Domini, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the First Baptist church, of the township of Newtown, county of Delaware, be amended so that the word "congregation" where it occurs shall read "church;" that after the words "direct and appoint" in the first section, the following proviso shall be inserted: *Provided however,* That the said trustees shall not lay out, apply, convey or dispose of contrary to the decision of said church in stated church meeting assembled, after due notice given from the pulpit or otherwise. Charter amended  
Proviso.

SECTION 2. That the second section be amended by the addition of the following words, "assembled in stated church meeting;" that the words "who shall be a member of the congregation," in the third section, shall be erased. Second section amended.

SECTION 3. That the fourth section be amended by striking all out after the word "corporation," and inserting the following proviso: *Provided,* That said by-laws, ordinances and other corporate acts, shall not be inconsistent with the laws and usages of Baptist churches, nor with those of the said Baptist church of Newtown, nor with the laws of this State or of the United States. Fourth section amended.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 289.

## AN ACT

To repeal the Eleventh Section of the act of twelfth April, Anno Domini, one thousand eight hundred and fifty-one, relative to fishing in Indian creek, in Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eleventh section of the act of Assembly, approved the twelfth

day of April, Anno Domini, one thousand eight hundred and fifty-one, relative to fishing in Indian creek, in Fayette county, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 290.

AN ACT

Authorizing the Commissioners of Franklin county to borrow money for certain purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Franklin county are hereby authorized to borrow, on the credit of said county, any sum of money not exceeding six thousand dollars, at a rate of interest not exceeding six per centum per annum, for the purpose of enabling said commissioners to complete the public buildings, now under contract, at the poor house in said county, and for other purposes; and they are authorized to secure the payment of the same, at such time or times as may be agreed upon, by bond, under the hand of the commissioners, and the seal of the county: Provided, That no bonds of a less denomination than one hundred dollars shall be issued in pursuance of this act.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 291.

## AN ACT

Relative to the destruction of Wolves, Panthers, Foxes and Wild Cats, in the county of Clarion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the act of Assembly, entitled "An act to encourage more effectually the destruction of wolves and panthers," and approved the sixteenth day of March, Anno Domini, one thousand eight hundred and nineteen; and also the provisions of an act, entitled "An act to encourage the destruction of foxes and wild cats in the counties of Lebanon, Luzerne, Wayne, Pike, Monroe, Susquehanna and Tioga," approved the sixteenth of April, Anno Domini, one thousand eight hundred and thirty-eight, be and the same are hereby extended to the county of Clarion.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 292.

## AN ACT

To Improve the Road from the flats of Grave Creek to the White House Tavern, on the Allegheny mountain.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Militia fines. the county treasurers of the counties of Fayette, Somerset and Greene are hereby authorized and required to pay over to the commissioners herein named, and to their successors in office, all the residue of the militia fines collected in the county of Fayette for the years one thousand eight hundred and fifty-four, fifty-five, fifty-six and fifty-seven, after deducting the amount paid to volunteer companies in said counties, as already provided by law, and the receipts from said commissioners to the county treasurers aforesaid, shall be sufficient vouchers in the office of the



Auditor General and State Treasurer, in the settlement of the accounts of the said county treasurers.

Commissioners.

SECTION 2. That Joseph Brooks and Hiram Snyder, of the county of Fayette; John Knable and John Davis, of the county of Somerset, and T. Grey and David Huss, of Greene county, are hereby appointed commissioners for the repair of said road and for the improvement of the same, and they are hereby authorized to expend the moneys received from the treasurers aforesaid, in the repair of that portion of the road lying and being between the borders of each county respectively.

Commissioners to give bond.

SECTION 3. That the commissioners aforesaid are hereby required to give bond and security in the sum of two thousand dollars to the county commissioners, to be approved by them, for the application of the money received from the county treasurer, as required by this act, and that so soon as the commissioners have expended the money aforesaid, their accounts shall be audited, under oath or affirmation, by the auditors of their respective counties.

Vacancies.

SECTION 4. That the judges of the court of common pleas of the counties of Fayette, Somerset and Greene, respectively, are hereby authorized to fill any vacancy in the said board of commissioners which may occur by death, resignation or otherwise.

Compensation.

SECTION 5. That the commissioners aforesaid, shall each receive a per diem compensation of one dollar for each and every day actually employed in the repair of said road, to be paid upon their warrant drawn upon the county treasurer: *Provided*, That no money derived from militia fines as provided by the first section of this act, shall be paid over by the county treasurers aforesaid, until the sum of two hundred dollars shall have been raised in each county by private subscription, to be applied by the said commissioners in like manner for the improvement and repair of said road.

Proviso.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 293.

## AN ACT

To incorporate the American Medical Museum of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas G. Chase, M. D., Charles H. Christman, Samuel De

Burdett, M. D., C. Lindley Shoemaker, J. T. Fitch, Eli T. Worl, M. D., S. J. W. Mintzer, M. D., and their associates and successors be, and they are hereby made and created a body politic and corporate in law and in fact, under the name, style and title of the "American Medical museum of Philadelphia," for the better encouragement of medical science in the profession, and the dissemination of physiological and hygienic laws of life and health to the public, and the gratuitous instruction in the same, to the children connected with the grammar schools of the city and county of Philadelphia; and by that name shall have perpetual succession, and may sue and be sued, have a common seal, purchase, hold and convey all lands, tenements, moneys, goods, chattels and effects, make all by-laws necessary or proper for the government and sustenance of the said corporation, and immediately connected therewith, not contrary to the constitution and laws of this Commonwealth; and to do all and every matter and thing for the purposes of this act, which any corporation or body politic may or can do: *Provided*, The said corporation shall hold no more real estate than the buildings occupied, and no more personal estate than is necessary for the successful accomplishment of the aforesaid purposes.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The tenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

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No. 294.

## A N A C T

Regulating the Elections in the county of Butler, under the new organization of the townships thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the general and township elections in said county, in the several townships herein specified, shall be held at the places hereinafter specified: the first township election to take place on the twenty-eighth day of April, Anno Domini, one thousand eight hundred and fifty-four, and thereafter at the times heretofore fixed by law; and each of said townships shall elect, at said first election, all township officers pertaining to each township, except that in case of justice of the peace; there shall be elected in each township only such number, if any, as shall make up the deficiency of two justices in each township; and the school directors for each of said townships shall be elected, two for

Election places  
fixed.

one year, two for two years, and two for three years, and two annually thereafter: said first township elections shall be held and conducted by the judge and inspectors severally, as hereinafter named for each township, as follow:

- Buffalo township. *First.* The electors of Buffaloe township, at the house of Robert J. Gregg; Daniel Kelly to act as judge, and Robert Bartley and A. D. Weir as inspectors.
- Winfield township. *Second.* The electors of the township of Winfield, at the house of Francis Rivers; Robert Spear to act as judge, and Daniel Denny and Philip Cypher as inspectors.
- Clearfield township. *Third.* The electors of Clearfield township, at the house of John Green; John Gallaher to act as judge, and Joseph Henry and Cornelius M. Lafferty (of William) as inspectors.
- Donegal township. *Fourth.* The electors of Donegal township, at the house of Mrs. A. D. Wiles, in Millerstown; John Byers to act as judge, and William Farquer and John H. Thompson as inspectors.
- Fairview township. *Fifth.* The electors of Fairview township, at the house of Robert Ray; Alexander Story to act as judge, and A. J. Christy and Robert Patton as inspectors.
- Parker township. *Sixth.* The electors of Parker township, at the house of John Martin, in Martinsburg; Thomas Fletcher to act as judge, and John Say, junior, and Robert Story as inspectors.
- Allegheny township. *Seventh.* The electors of Allegheny township, at the house of James M'Mahan, senior; John Rosenberry to act as judge, and James Black and John Allen as inspectors.
- Clinton township. *Eight.* The electors of Clinton township, at the house of John Riddle; William Walker to act as judge, and James Woods and James Norris as inspectors.
- Jefferson township. *Nine.* The electors of Jefferson township, at the house of Thomas Welsh; James Dunlap to act as judge, and Israel Seamen and Alexander Welsh as inspectors.
- Summit township. *Ten.* The electors of Summit township, at the house of Mrs. Louisa M'Laughlin; James M'Curdy to act as judge, and Robert Maxwell and Andrew Minch as inspectors.
- Oakland township. *Eleven.* The electors of Oakland township, at the house of William M'Clung; Eli Balph to act as judge, and Alexander Simpson and John Hutcheson as inspectors.
- Concord township. *Twelve.* The electors of Concord township, at the house of John M'Glaughlin; Thomas Campbell to act as judge, and James Hindman and J. G. Christy as inspectors.
- Washington township. *Thirteen.* The electors of Washington township, at the town hall in North Washington; David Shira to act as judge, and Henry Wiles and Ziba Rumbaugh as inspectors.
- Venango township. *Fourteen.* The electors of Venango township, at the house of James Kable; John Murrin to act as judge, and Andrew Attleman and Samuel Layson as inspectors.
- Middlesex township. *Fifteen.* The electors of Middlesex township, at the house of George Cooper; William Cunningham to act as judge, and James Bartley and Matthew Harbeson as inspectors.
- Penn township. *Sixteen.* The electors of Penn township, at the house of James Maharg; James Douglass to act as judge, and James Maharg and Williamson Bartley as inspectors.
- Butler township. *Seventeen.* The electors of Butler township, at the school house, number one, near Butler; William Borland to act as judge, and John Husselton and Elijah Burkheart as inspectors.
- Centre township. *Eighteen.* The electors of Centre township, at the house of John Bellas, deceased; Nathan F. M'Candless to act as judge, and Robert K. Hunter and Moses Thompson as inspectors.



*Nineteen.* The electors of Clay township, at the house of Clay township.  
William M'Call; William Gibson to act as judge, and John  
Sutton and Samuel Loudon as inspectors.

*Twenty.* The electors of Cherry township, at the house for- Cherry township.  
merly occupied by John Thompson; Charles Bovard to act as  
judge, and John Hall and Mark M'Candless as inspectors.

*Twenty-one.* The electors of Marion township, at the house of Marion township.  
Robert Gilchrist; Thomas R. M'Millan to act as judge, and  
Bernard Shultz and John Black as inspectors.

*Twenty-two.* The electors of Adams township, at the house Adams township.  
of John S. Douthett; David Speer to act as judge, and James  
Plummer and Wilson Johnston as inspectors.

*Twenty-three.* The electors of Forward township, at the house Forward town-  
of Adam Brown; David Douthett, junior, to act as judge, and ship.  
Sylvester Ash and Andrew Boggs as inspectors.

*Twenty-four.* The electors of Connequenessing township, at Connequenessing  
the house of William Richardson; Henry Duffert to act as judge, township.  
and Matthias Moyer and Samuel Wilson as inspectors.

*Twenty-five.* The electors of Franklin township, at the house Franklin town-  
of Samuel Riddle; James Anderson to act as judge, and Henry ship.  
Stevenson and William Hoekenberry as inspectors.

*Twenty-six.* The electors of Brady township, at the house Brady township.  
Zepheniah Snyder; William H. Thompson to act as judge, and  
John Snyder and Hugh Grossman as inspectors.

*Twenty-seven.* The electors of Slippery Rock township, at the Slipperyrock  
school house in the north end of Centreville; Thomas M'Der- township,  
mot to act as judge, and John Mortland and James Clark as  
inspectors.

*Twenty-eight.* The electors of Mercer township, at the public Mercer township.  
school house in Harrisville; William H. M'Gill to act as judge,  
and Hugh M'Coy and James Barns as inspectors.

*Twenty-nine.* The electors of Cranberry township, at the Cranberry town-  
house of Simon Rice; David Garvin to act as judge, and Israel ship.  
Cookson and Samuel Duncan as inspectors.

*Thirty.* The electors of Jackson township, at the house Jackson township  
Frederick Fagley; Thomas Wilson to act as judge, and Joseph  
Swartz and George Beam as inspectors.

*Thirty-one.* The electors of Lancaster township, at the public Lancaster town-  
school house, number five, near Middle Lancaster; Abraham ship.  
Moyer to act as judge, and F. M. Scott and William Kirker as  
inspectors.

*Thirty-two.* The electors of Muddy Creek township, at the Muddy Creek  
house of William Thompson; James Hall to act as judge, and township.  
Joseph Zeeby and James English as inspectors.

*Thirty-three.* The electors of Worth township, at the house Worth township.  
of William Humphreys; Alexander Boyle to act as judge, and  
Robert Hampson and William Moore as inspectors.

SECTION 2. That the collectors heretofore appointed in said Collection of  
county, shall severally complete the collection of their dupli- taxes, &c.  
cates, as if this act had not been passed, and without regard to  
the new organization of townships therein, made by the court  
of quarter sessions of said county at March sessions, one thou-  
sand eight hundred and fifty-four; and should any difficulty arise  
in relation to unexpended school money, be the same collected or  
uncollected at this time, the same shall be equitably adjusted by  
the school directors in the districts concerned; and in case of  
their disagreement, the same shall be referred to the commis-  
sioners of said county, whose decision in each case shall be final

and conclusive; and all other personal property, and all real estate held in fee simple or otherwise, for common school purposes in said county, shall be taken and deemed to belong to the respective districts in which the same may be situated according to said new organization; and the school directors of each of said districts in said county, shall have full power and authority to make sale of any such estate in their proper districts, and apply the proceeds to the purchase of other real estate, and the construction of school houses thereon; and for the same purpose may apply so much of their respective school appropriations of the school year, commencing in June, one thousand eight hundred and fifty-four, as they shall deem conducive to the best interests of the schools of their respective districts.

Assessments.

SECTION 3. That the assessors of the several townships and boroughs in said county, for the present year, shall proceed, immediately after said election in April, and make the assessments in their several boroughs and townships, and return the same to the commissioners of said county on or before the third Monday of May next.

Publication of  
act

SECTION 4. That the commissioners of said county shall cause this act to be published in one or more newspapers printed in said county, the reasonable expenses thereof to be paid, on their warrant, by the treasurer of said county.

Borough of But-  
ler.

SECTION 5. That the qualified electors of the borough of Butler, in the county of Butler, shall hereafter hold their general, special and borough elections at the court house in said borough.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The tenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 295.

## A N A C T

To change the mode of electing the Town Council of the Borough of Brownsville, in the County of Fayette.

Town Council to  
be elected.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the borough of Brownsville, in the county of Fayette, shall at the next ensuing borough election and annually thereafter, elect five citizens, to serve for one year, as a town council for said borough, and that any three thereof shall form a quorum competent to do business, and that no member of the town council of said borough shall hereafter be compe-*

tent to contract with said council to do any work or service whatever, when the payment for which is to be drawn from the common treasury of said borough.

SECTION 2. That the seventh section of an act entitled "An <sup>Repeal.</sup> act relative to certain pending suits in the court of common pleas of Blair county," providing for service of process against sheriffs and their sureties, and for other purposes, approved on the tenth day of April, one thousand eight hundred and forty-eight, be and the same is hereby repealed, and that the council elected under the provisions of said section for the said borough shall be dissolved, and have no authority from and after the next ensuing borough election for said borough, after the passage of this act.

SECTION 3. That the town council of the borough of Browns- <sup>Power to borrow money.</sup> ville, in the county of Fayette, be and they are hereby authorized to borrow on the credit of said borough, any sum or sums of money not exceeding fifteen thousand dollars, at a rate of interest not exceeding six per centum per annum, redeemable at such time or times as shall be agreed upon, and issue therefor certificates of indebtedness or other evidences of debt: <sup>Proviso.</sup> *Provided*, That before said council shall borrow such sum or sums of money aforesaid, they shall submit the subject to a vote of the qualified voters of said borough, who shall decide by ballot, of which said council shall cause due public notice to be given, in same manner of holding and conducting elections for borough officers, and if a majority of all the votes cast shall be in favor of taking such loan, then the said council shall or may borrow such sum or sums, and not otherwise.

SECTION 4. That as soon as said loan shall be taken, for the <sup>Special tax</sup> purpose of paying the same with interest thereon, as shall have been agreed upon, the said town council shall or may at their discretion, levy a special tax annually, to any amount not exceeding one dollar on the one hundred dollars, of all subjects and things within said borough subject to borough tax, agreeably to the last assessment made for county rates and levies.

SECTION 5. That all acts and parts of acts hereby supplied, <sup>Repeal.</sup> and that may be inconsistent with this act, be and the same are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 296.

## A SUPPLEMENT

To an act establishing an Academy in Carmichaelstown, in the county of Greene.

Trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That John Huston, Henry Jamison, James Barns, Thomas Laidley, Alfred Frost, A. E. Carson, Isaac Burson, J. M. Harper, J. L. Crawford, J. T. Biddle, H. H. Cree, Samuel Colver, John L. Dawson, Levi H. Bell, J. W. Parkinson, John Wilson, Westley Frost, Solomon Wise, Joseph Buffington, James Hawkins, Alfred Myers, John C. Taylor, Abner Fordyce, William Donley, John Stone, J. M. Oliphant, Benjamin Covert, David P. Bell, Charles Lucas, Jacob Greenlee, George Conner, William Gantz, be and they are hereby appointed trustees of Greene Academy, in the village of Carmichael's in the county of Greene, in lieu of the six trustees now authorized by law: that said trustees shall have all the powers and perform all the duties, as required by the act to which this is a supplement.

Continuance in office.

Proviso.

SECTION 2. That the trustees hereby appointed, shall continue in office during good behavior, and have all necessary power to remove inefficient members and supply vacancies caused by death or otherwise: *Provided,* That no removal shall be made or vacancy supplied at any other time except at the annual meeting of the said trustees, as authorized by the original act, and that no less than a majority of the whole number shall make removals, supply vacancies or transact business, of any kind, except as hereinafter provided.

Business committee.

SECTION 3. That the said trustees or a majority of them, are hereby required at each annual meeting to appoint a business committee, consisting of at least five of their number, who shall discharge the duties enjoined on the board, as required by the fourth section of the act to which this is a supplement, and the committee thus appointed shall designate one of their number, who shall have power to convene said committee when necessary and to give notice for the annual or other meeting of the trustees, and shall act as chairman of all meetings of the trustees and business committee during the year for which he has been appointed.

Repeal.

SECTION 4. That all acts or parts of acts which are inconsistent with this act, be and the same are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eleventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

## A N A C T

No. 297.

Relating to the road laws in Franklin and Valley Townships, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the citizens of Franklin and Valley townships, Chester county, shall at their next township election, elect three persons for supervisors of the roads or highways in said townships, one of whom shall serve one year, one two years, and one three years, and that annually thereafter the said citizens shall elect a supervisor who shall serve three years; the said supervisors shall receive one dollar for each day they may in any manner be engaged on the roads of said township. Three supervisors to be elected

SECTION 2 That it shall be the duty of said supervisors or a majority of them, to divide the said roads into different sections, in such form and manner as they shall deem best, and to contract with such person or persons as may be interested in any section or sections and resident near thereto, to keep the said section or sections in good travelling order for the period of five years, upon such terms as the said supervisors shall consider proper. Division of roads into sections.

SECTION 3. If any person or persons who may contract to keep any section of the said roads in good order and repair, shall neglect or refuse so to do, he or they shall be notified by the said supervisor or supervisors to repair said road or roads within five days, and if they shall not so do, the supervisors shall have the same put in good order at the expense of the said contractors. Neglect to keep roads in repair.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 298.

## A N A C T

To incorporate the Schuylkill County Miners' Asylum.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Sillyman, James S. Carpenter, Daniel Washburn, Francis W. Hughes, Daniel R. Bennet, Richard Carter and John Anderson, and their associates and successors, be and they are hereby created a body politic and corporate in deed and in law by the name, style and title of the Schuylkill County Miner's Asylum, to have perpetual succession, to use a common seal, and the same to break, alter and renew at pleasure, to sue and be sued, implead and be impleaded in all the courts of record or elsewhere, to take, hold and enjoy lands, tenements and hereditaments, goods, chattels or choses in action, to have, take and receive bequests, devises, gratuities and endowments in cash, and other property real and personal, and the same to invest, re-invest, sell, alien and dispose of in such manner as the said corporation may deem most expedient and conducive to the interest of the same : Provided, That the clear yearly rents and profits of the real estate to be held by said corporation, shall not exceed in value the sum of fifty thousand dollars.*
- SECTION 2.** That the business affairs and management of said corporation shall be conducted by a board of seven trustees, who shall consist of the persons named in the preceding section, until the first Monday in May, one thousand eight hundred and fifty-five, when and annually thereafter, a new board shall be elected by the members of said corporation, duly qualified in the manner that shall be prescribed by the by-laws; in case of any vacancy occurring in said board of trustees by death, resignation or otherwise, the remaining trustees shall have authority to fill the same until the next regular annual election.
- SECTION 3.** That the said board of trustees shall upon their organization and after each election, choose from their number a president, vice president, treasurer and secretary.
- SECTION 4.** That the essential objects of said corporation shall be the relief and support during illness of all miners, laborers and others, in the county of Schuylkill, maimed, sick or disabled by any cause not the result of any vicious indulgence, who shall be entitled to the benefits of said corporation by complying with the conditions prescribed by the by-laws.
- SECTION 5.** That it shall and may be lawful for said corporation to provide for a system of membership, entitling such members or any member of others provided for by them, to the benefits, relief and support of as aforesaid of said corporation, upon such terms, conditions and regulations as said corporation may from time to time establish and ordain.
- SECTION 6.** That it shall and may be lawful for the Philadelphia and Reading railroad company, and the president, managers and company of the Schuylkill navigation company, to contribute and pay to said corporation towards the essential objects



of the same, one mill per ton on each ton of coal transported over any portion of the works of said companies, and that it shall and may be lawful for said companies to increase the rates of toll which they are now by law respectfully authorized to charge, to an amount equal to the sum contributed and paid as aforesaid

SECTION 7. That no misnomer of said corporation and their successors, shall defeat or annul any gift, grant, devise or bequest to or for the same. Misnomer.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 299.

### A N A C T

In relation to the claim of Samuel R. Richards, a Canal Contractor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and are hereby authorized and required to re-examine the claims of Samuel R. Richards, a canal contractor, for work done upon dam number three, guard lock number three, lift lock number four, and section number seventy-nine, on the Kiskeminetas and Conemaugh line, of the western division of the Pennsylvania canal; and also for damages suffered by reason of hill-slips, and for work done in removing the same; and to ascertain upon principles of justice and equity, the amount which was due and coming to said contractor, and report the same to the Legislature.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 300.

## AN ACT

To incorporate the Aramingo Avenue and Plank Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Jacob Stadleman, Lewis Wister, Reese E. Price, Owen Jones, Samuel L. Robeson, Michael M'Gee, Frederick W. Porter, Joseph Crawford, John Y. Crawford, William Davis, senior, George W. Jacoby, Frederick Naile, junior, Benjamin Harvy, David Foulke, Stephen Colwell, Charles Jones, John W. Roberts, John Wood, Jonathan Jones, Andrew Nomey, Jesse W. Ramsey, William A. Crawford, Christopher Heebner, William Schall, W. H. Slingluff, James Wells, Lawrence E. Corson, George B. Reiff, Daniel Longaker, Henry Freedley, Robert Iredell, Philip Gilinger and Levi Roberts, be and they are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a
Style	company by the name, style and title of the "Aramingo avenue and plank road company," with power to locate and construct a plank road, or a road partly of plank and partly of other materials, from a point in the Blockley and Merion plank road, at
Route.	or near Libertyville, in the township of Lower Merion, in the county of Montgomery; thence by way of the borough of Conshohocken to the east end of Conshohocken avenue, as laid out by the proprietors, on the farm late of William A. Crawford, in Plymouth township, and thence to the angle in Egypt street, near Roberts and Roses brick yard, in the borough of Norristown, in said county.
Use of road.	SECTION 2. That the said company may, if they deem proper, use any road that may be traversed or crossed in the route aforesaid: <i>Provided</i> , That the width of their avenue, or plank road,
Proviso.	shall not be more than sixty feet, except where embankments or excavations may make a greater width necessary.
Capital stock.	SECTION 3. That the capital stock of the said company shall consist of fifteen hundred shares of twenty-five dollars each; and should the amount be insufficient to complete the road, the said company may, from time to time, at meetings of the stockholders called for that purpose, increase the capital stock to such an amount as, in their opinion, shall be requisite to complete the said road, according to the true intent and meaning of this act.
Subject to provisions of certain act.	SECTION 4. That said company shall have all the powers, and be subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same are consistent with this act: <i>Provided</i> , That the said company shall be entitled to charge and collect tolls, whenever three miles of said road shall be completed.
Proviso.	
Commencement and completion of road.	SECTION 5. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within five years thereafter, this

act shall become null and void, except so far as to wind up the affairs of said company, collect the debts due to, and pay the debts due by the same: *Provided*, That in such case, the supervisors of highways, of the townships and boroughs through which said road passes, shall take charge of, and keep said road in good repair, in like manner with other highways in said township.

SECTION 6. That the corporate authorities of the boroughs, and the supervisors of highways of the townships through which said road passes, be and they are hereby authorized to subscribe for shares of the capital stock of said company, to an amount not exceeding five thousand dollars for such borough or township. Subscriptions.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 301.

## AN ACT

Relating to the Contingent Expenses of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Clerks of the Senate and House of Representatives shall, in addition to what is now allowed by law, be authorized to purchase wrapping paper, sealing wax, and ink, for the use of their respective Houses, to keep the clocks of the Capitol in repair, and provide for the incidental contingent expenses of each desk, a sum not exceeding five dollars the session.

SECTION 2. That all laws and parts of laws inconsistent with this act, be and they are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 302.

## AN ACT

To incorporate the Brookville and Clarionton Plank Road Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** James Somerville, George Watt, Andrew Shall, Charles C. Johnston and Oran Butterfield, or any three of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title

**Style** of the Brookville and Clarionton plank road company, with power to construct a plank road from the borough of Brookville, Jefferson county, to the village of Clarionton, in Forest county,

**Subject to provisions of certain act.** subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this act.

**Capital stock.** **SECTION 2.** That the capital stock of said company shall consist of thirty-five thousand dollars at twenty dollars per share:

**Proviso** *Provided,* That said company may from time to time, by a vote of the stockholders by a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road, and carry out the true intent and meaning of this act.

**Commencement and completion of road.** **SECTION 3.** That if the said company shall not commence the construction of their road within four years after the passage of this act, and complete the same within eight years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 303.

## AN ACT

To incorporate the Burlington and Mansfield Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Addison M'Kean, John F. Long, John Blackwell, Horatio Gamage, Stephen H. Stiles, Horace F. Long, S. W. Paine, G. F. Redington, O. P. Ballard, D. F. Pomeroy, Alvin Stevens, W. H. Peck, D. W. C. Herrick, Reuben Wilber, Peleg Peck and Curtis Merritt, of Bradford county, and John Fox, James Husted, Joseph P. Morris and J. S. Hoard, of Tioga county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name and style of the "Burlington and Mansfield plank road company," with power to construct a plank road, commencing at or in the borough of Burlington, in the county of Bradford, and connecting with the Towanda and Burlington plank road in said borough, and running by way of Troy borough to a point at or near Mansfield, in the county of Tioga, by such route as shall be deemed best and most practicable, and shall have power to lay the track of the same upon any public or private road that shall be deemed necessary: *Provided*, That said company shall be subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereunto, so far as the same are not inconsistent with this act.

Commissioners.

Style.

Route.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock so much as may, in their opinion, be necessary to carry out the true intent and meaning of this act.

Capital stock.  
Proviso.

SECTION 3. That it shall be lawful for the said company to erect and set up gate or gates, and to levy and collect tolls from persons traveling along, or otherwise using the said road, at the rates prescribed in the act regulating turnpike and plank road companies already referred to, without further license, as soon as they shall have completed three miles of their said road.

Tolls.

SECTION 4. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within ten years thereafter, this act shall be null and void, except so far as it may be necessary to wind up the affairs and pay the debts of the said company.

Commencement  
and completion of  
road.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 304.

## A N A C T

To incorporate the Butler and Sunbury Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph W. Christy, William Hazlett, Andrew Carns, Samuel M. Lane, Samuel M'Elwain, George M'Candless, William S. Jack, George Boyd, Allen Wilson, Andrew Timblin, Thomas C. Thompson, John Prior, James Wright, Andrew Dietrich, John Argess, Robert Boyd, John Guinn, Henry Miller, James T. M'Junkin and Moses Thompson, of the county of Butler, be and they are hereby appointed commissioners to open books, receive subscription and organize a company by the name and style of the Butler and Sunbury plank road company, with power to construct a plank road from the borough of Butler to the village of Sunbury, in Butler county, with all the authority and subject to all the provisions and restrictions of the act regulating turnpike or plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto, except so much thereof relating to the imposition of tolls as discriminates in favor of vehicles having wheels of the breadth of four inches and upward, and such other portions of the same act as may be inconsistent herewith.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty dollars each, with power however to said company to enlarge the same from time to time by new subscriptions, in case such enlargement shall be deemed necessary for the purpose of accomplishing the objects of this charter.

SECTION 3. That if the said company shall not commence the construction of said road within five years from the passage of this act, and complete the same within ten years thereafter, then this act shall be null and void, except so far as the same be necessary for the purpose of settling the affairs and paying the debts of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

Commissioners.

Style

Subject to provisions of certain act.

Capital stock.

Commencement and completion of road



No. 305.

## A SUPPLEMENT

To an act entitled "An act authorizing the Governor to incorporate the Tionesta Plank Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act entitled "An act authorizing the Governor to incorporate the Tionesta plank road company," approved the twelfth day of March, one thousand eight hundred and forty-nine, be so altered and amended, that the said company may locate and construct said road from the Allegheny river to the residence of Richard Dunham, in the township of Sheffield, in the county of Warren, a distance of about eight miles, and said company is hereby relieved from constructing the residue of said road, according to the requirements of said act, and that the time for completing the same be and is hereby extended one year from the time prescribed for its completion by the act to which this is a supplement, and that the rates of toll as fixed by the first section of said act, be and remain as long as the said company shall keep the said road in good repair.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 306.

## AN ACT

Relating to the Borough Tax of Johnstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate officers of the borough of Johnstown be and they are hereby authorized to levy and collect annually, for borough purposes, any amount of tax not exceeding one cent on the dollar on the valuation now assessed, or which may be assessed for county purposes; and so much of any law as is inconsistent

with this act is hereby repealed, so far as the same may relate to the said borough of Johnstown.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 307.

# AN ACT

To incorporate the Mechanics' Insurance Company of Philadelphia.

Corporators.

Style.

Subject to provisions of certain act.

Affairs, how managed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Morgan, Robert Flanagan, James M'Cann, Hugh O'Donnell, George L. Dougherty, Bernard Rafferty, Michael M'Geoy, James Martin, Edward M'Govern, William S. Neale, Thomas B. M'Cormick, John Duross, Thomas Mandertfield, Joseph Ferral, Francis Falls, Matthew M'Aleer, Thomas J. Timmins, George H. Tatem, John Casady, John Sloan, John J. Boyd and their associates, be and they are hereby incorporated into a company under the name, style and title of the Mechanics' insurance company of Philadelphia, for the purpose of making fire, marine and inland insurances and transacting the necessary business connected therewith, subject to all the liabilities and entitled to all the privileges contained in an act to incorporate the Philadelphia insurance company, approved the seventh day of February, Anno Domini, one thousand eight hundred and fifty-one, excepting so far as may be altered by the subsequent section of this act.

SECTION 2. That the affairs of the company shall be managed by twenty directors, stockholders of the said corporation, holding at least three shares of stock, who shall be elected annually on the first Monday of May, between the hours of ten A. M. and two P. M., and the directors so elected shall appoint one of their number as president, and shall appoint a secretary, surveyor and assistant surveyor, (being stockholders,) and such other officers and agents as they may deem necessary for conducting the business of the said corporation: The votes of the stockholders for directors shall be by ballot, and the ratio of votes shall be as follows: A stockholder having two shares or less, one vote; three shares and not more than five, two votes; six shares and not more than nine, three votes: ten shares and not more than nineteen, four votes; twenty shares and not more

than twenty-nine, five votes; thirty shares and not more than thirty-nine, six votes; forty shares and not more than forty-nine, seven votes; fifty shares and upwards, eight votes; but no stockholder shall be entitled in his own right or as a proxy to a greater number than fifteen votes: *Provided*, That the first named twenty-one persons in the foregoing section, shall constitute the first board of directors; *And provided also*, That the dividends of the said company shall be declared annually on the first Monday of April. Proviso.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 308.

### A FURTHER SUPPLEMENT

To an act, entitled "An act to incorporate the Little Schuylkill and Susquehanna Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases of an assessment of damages, under the provisions of the twelfth section of the act of Assembly, passed the twenty-first day of March, Anno Domini, one thousand eight hundred and thirty-one, entitled "An act to incorporate the Little Schuylkill and Susquehanna railroad company," where there has been an appeal from the report of the viewers to the court of common pleas, either party shall be entitled to a special jury and a view; and the rule for said special jury and view may be entered, as of course, in the office of the prothonotary of the court in which any such appeal is pending.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 309.

## AN ACT

Relating to Hawkers and Pedlers in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act, entitled "An act supplementary to an act relating to hawkers and pedlers, and regulating auctions in the county of Schuylkill," approved the nineteenth day of April, Anno Domini, one thousand eight hundred and forty-six, be and the same is hereby extended to the county of Lycoming: Provided, That the manufacture of tin and copper ware, hats and confectionaries, shall not be embraced within the provisions of this act.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 310.

## AN ACT

To Punish any person Injuring or Destroying a certain Board Walk in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if any person or persons shall wilfully and maliciously remove or destroy any part of any plank or board walk erected, or to be erected hereafter by any person or persons, or by any corporation, in the borough of South Pittsburgh, or Lower St. Clair township, in the county of Allegheny, such person or persons so offending, shall be deemed guilty of a misdemeanor, and on conviction thereof before any alderman of the city of Pittsburgh, or justice of the peace of said county, by suit or prosecution, in the name of the Commonwealth of Pennsylvania, shall be fined any sum not exceeding ten dollars, and in default of payment thereof, shall be imprisoned in the county jail for any*

period not more than ten days ; all moneys collected from fines so imposed, shall be applied towards keeping said plank or board walks in repair.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 311.

## AN ACT

To lay out and mark a State Road in Westmoreland and Somerset counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners. Jacob Lobingier, Andrew A. Heorman and George Freeman, of Westmoreland county, and George Weller, Henry L. Holbrook, George Foy, of Somerset county, be and the same are hereby appointed commissioners to view and lay out and mark a State road from Lobingier's mills, in Westmoreland county, to Stoystown, Route. in Somerset county, having reference to the distance of the route surface of the country and cost of construction.

SECTION 2. That it shall be the duty of said commissioners or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, at an elevation of not more than three degrees from a horizontal line, and thus they shall clearly and distinctly mark the road in such manner as shall render the route agreed upon readily found by the supervisors, and for fulfilling the duties enjoined by this act, the commissioners shall be allowed the sum of one dollar and fifty cents per day, for every day they shall be necessarily employed in performing the duties assigned by this act. Duties of commissioners.

SECTION 3. The said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon courses and distances, and the places, waters, county and township lines, with such other matter as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth, on or before the first day of January next, and one copy in the office of the clerks of the court of quarter sessions of the respective counties through which the said road Draft to be made out and filed.

may pass, on the time aforesaid, or as much sooner as practicable, and from thenceforth the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the county are made and repaired.

Expense-

SECTION 4. The amount required to pay the expenses as thus provided, shall be paid by a warrant drawn on the commissioners of Westmoreland and Somerset counties, in proportion to the time spent in each county respectively.

Meeting of commissioners.

SECTION 5. That said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them shall agree on and complete the location of said road, as soon as practicable, and if any vacancy shall occur by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person or persons so resigning shall have resided.

Releases-

SECTION 6. It shall be the duty of the said commissioners to endeavor to procure from all persons through whose land said road is located, release from all claims and damages which might arise from opening the said road, and in all cases where a release cannot be obtained, it shall be their duty to assess the damages and make report thereof, signed by a majority of them, which, with the releases, shall be returned to the court of quarter sessions of the respective counties in which such damages may accrue.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 312.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Bethlehem Gas Company," approved the seventh day of February, Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Bethlehem gas company shall have power and authority, and is hereby empowered and authorized to enter into and upon such lands and enclosures as the said company may deem necessary, to dig trenches for the purpose of laying their pipes for the distribution of gas, carrying off the refuse, and for all other necessary purposes, doing as little damage as possible to private*



property, and paying for whatever injury may be done by them; and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested persons on oath, to be appointed by the court of common pleas of Northampton county, on the application of either party; and the said company shall have the like privileges as to the relaying or taking up or repairing the said pipes, as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches with as little delay as possible.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 313.

## AN ACT

To authorize the Construction of a Railroad upon Canal Street, Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for George W. Harris, and his associate or associates, to have a railroad constructed for their own use along Canal street, on the east side, in the borough of Harrisburg; the said road hereby authorized, to extend up said Canal street from a point opposite to the canal basin, in said borough, up to a point opposite to ground of Morris Patterson, or to any point below the same, and to connect at or near to North street, or between the same and State street, with the road of the Pennsylvania railroad company; the point of connection with the road of the said company, to be approved of by the president of the said company; or some person authorized by him or the company; and the said point of connection to be at least one hundred feet above where the railroad of David R. Porter connects with the said Pennsylvania railroad.

SECTION 2. That for the protection of the road hereby authorized, with its fixtures and appurtenances, all the provisions of the fifteenth and sixteenth sections of the act to incorporate the Pennsylvania railroad, passed on the thirteenth day of April, one thousand eight hundred and forty-six, are hereby made applicable and extended to the owner or owners of the road hereby authorized, or any part thereof, giving to the said owner or

owners all the remedies given to the Pennsylvania railroad company by the section hereinbefore referred to.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 314.

## AN ACT

To confirm the title to certain Real Estate in the City of Philadelphia.

WHEREAS, By indenture dated the eighteenth day of January, one thousand seven hundred and forty-five, Mathias Keen did grant and convey unto Gunning Bedford, certain real estate set forth in the said indenture as follows: A certain lot or piece of ground situate in the said city containing in breadth east and west, eighteen feet, and in length seventy-seven foot, bounded northward with a certain new street called Lombard street, eastward with Mary Hides' lot, southward with the Proprietaries' ground, and westward with other ground of the said Joseph Wharton, together with the free use and privileges of two feet of ground by thirty-two foot, to be added to one foot of the eighteen feet aforesaid next Lombard street for a three foot alley, for the common use and service of the next adjacent lots of the parties to the same indenture, with ingress, egress and regress in, by and through the same alley, and in, by and through Lombard street aforesaid, together with the appurtenances as by reference to the said indenture will fully appear.

Whereas, The said Gunning Bedford erected upon the said lot or piece of ground a certain three story brick messuage or tenement, which he occupied down to the time of his death, and by last will and testament dated October ninth, Anno Domini, one thousand seven hundred and ninety-five, and of record in the office of the register of wills for the city and county of Philadelphia, devised the said premises to his son Gunning Bedford, his heirs and assigns, he paying or securing to be paid certain sums of money unto his brother and sisters, whom he settled with and paid, and from whom he procured releases in full of the said moneys, and thus became owner of the said premises, and so continued without molestation as long as he lived, which releases are mislaid or lost and cannot now be found, in consequence of which Henrietta Jane Bedford, the only surviving child of Gunning Bedford, last mentioned, who departed this life in one thousand eight hundred and twelve, finds difficulty

in selling and disposing of the said premises, as persons have refused to accept the title by reason of the said releases or evidences of payment not being produced; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the title of Henrietta Jane Bedford, her heirs and assigns to the lot or piece of ground with the three story brick messuage, a tenement thereon erected, situate on the south side of Lombard street, between Delaware Third and Fourth streets, in the city of Philadelphia, containing in front or breadth on the said Lombard street eighteen feet, and in length or depth seventy-seven feet, above described and set forth, and of all and every person or persons claiming or to claim under her by purchase, device, descent or otherwise to the said premises, together with the appurtenances, be and the same is hereby confirmed and made valid, and the title to the same is vested in the said Henrietta Jane Bedford, in fee simple, as fully and absolutely and to the same extent and effect to all intents and purposes, as though the releases executed by all the persons entitled to payment from Gunning Bedford, under the last will and testament of his father Gunning Bedford, were duly recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, or the said moneys were not under the said will to have been paid at all.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 315.

## AN ACT

To facilitate the Collection of Ground Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all actions hereafter brought for the recovery of ground rent in the city and county of Philadelphia, judgment may be entered as in cases in suits upon mortgages in said county: Provided, The plaintiff shall file a statement of the recording of the deed or deeds and assignments (if there should be any assignment or*



assignments) in the court in which said action may be brought, which recording shall be recited in the præcipe and summons.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 313.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Allentown Railroad Company," passed the nineteenth day of April, eighteen hundred and fifty three.

Amendment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section of the act, entitled "An act to incorporate the Allentown railroad company," passed the nineteenth day of April, Anno Domini, one thousand eight hundred and fifty-three, which requires the said railroad to commence at a point on the railroad of the Lehigh Valley railroad company, at the borough of Allentown, be amended so as to read "at the borough of Allentown, or near said borough south thereof."

Provisions of certain acts not to extend to the Allentown railroad.

SECTION 2. That so much of the act, entitled "An act relative to corporations," passed the thirteenth day of March, Anno Domini, one thousand eight hundred and forty-seven, and so much of the act, entitled "An act regulating railroad companies," passed the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, as requires a majority of the directors, and the president, to be citizens residents within this Commonwealth, shall not be held to extend to the Allentown railroad company.

Powers of company.

SECTION 3. That the said the Allentown railroad company, shall have power to purchase or lease, or consolidate with the Lehigh Valley railroad company, chartered by an act approved the twenty-first day of April, one thousand eight hundred and forty-six, and the Auburn and Port Clinton railroad company, chartered by an act approved March thirtieth, one thousand eight hundred and fifty-four; the said company are hereby authorized to connect with the North Pennsylvania railroad at any point, and on such terms as may be agreed upon by the board of directors of the two companies, and increase the capital stock from time to time, to an amount not exceeding the present capital stock of the three companies united, and as authorized to be consolidated by this act: *Provided*, That before any such purchase, lease or consolidation, the same shall be

ratified by the assent of three-fourths, in interest, of the stockholders of the said company: *And provided also*, That no increase of the capital stock shall be made without the assent of a majority, in interest, of the stockholders of the company: *Provided*, That the consent first be had of the company or companies with which the said Allentown railroad company desire to consolidate, or from whom it may desire to purchase or lease.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 317.

## AN ACT

Relative to the escheated Estate of John Chase, a negro man.

WHEREAS, John Chase, a negro man, late of the county of Washington, in the State of Pennsylvania, was possessed of a certain lot of ground near the town of Canonsburg, in said county, containing about three acres, valued and appraised at the sum of three hundred dollars, as appears by the returns in the office of the Auditor General of this Commonwealth:

*And whereas*, The said John Chase being so possessed of the said lot of ground did die intestate, and without issue or known heirs capable of inheriting the same, and the said lot of ground did thereby be and become escheated to the Commonwealth of Pennsylvania:

*And whereas*, The colored people of the said town of Canonsburg have no church or place of sepulture; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said lot of ground be and the same is hereby vested in John Durham, John Sluby, William Johns, Washington Jackson and Elias Prall, trustees of the African Methodist Episcopal church of the town of Canonsburg, and their successors forever, for the use of the said church, as a place of sepulture for all persons of the African race who may die in or near the said town of Canonsburg, and for the purpose of erecting a church and a parsonage house upon the same or part thereof: *Provided however*, That if the said lot or any part thereof shall at any time hereafter be used in any way for any other purpose, that grant shall be null and void, and the said lot with the buildings thereon, if any, shall revert and belong to the Commonwealth of Pennsylvania: *And provided also*, That the said lot

of ground and appurtenances shall not at any time be sold by the said trustees or their successors: *And provided further*, That the said lot of ground shall not be sold on or by virtue of any writ of execution against the said trustees or their successors, nor shall they or their successors ever in any way have power to mortgage, encumber or sell the same in any way, nor shall any mechanics' lien be entered or valid against the same or any part thereof.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 318.

## AN ACT

Authorizing the Governor to incorporate the Loretto and Carrollton Plank Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same</i> , That Peter Smelser, Joseph Buck, Augustine Fairbough, John Buck, Peter Shewy, Philip Hartsock, Patrick Braniff, George Litzinger, Patrick Shiels, Peter J. Little, James Byrne, Benjamin Weitner, or any four of them be and they are hereby authorized to open books and receive subscriptions, and organize a company
Style	by the name, style and title of the "Loretto and Carrollton plank road company," with power to construct a plank road from Loretto to Carrollton, to connect with the Ebensburg and
Subject to provisions of certain act.	Susquehanna plank road company, subject to all the provisions and restrictions of an act regulating plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act.
Capital stock	SECTION 2. That the capital of said company shall consist of five hundred shares at twenty dollars per share.
Tolls.	SECTION 3. That whenever the said company shall have completed five miles of their road, they shall have power to erect toll-gates, and receive the same toll per mile, as allowed by the twelfth and thirteenth sections of the aforesaid act, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.
Commencement and completion of road.	SECTION 4. That if said company shall not commence the construction of said road within three years, and complete the same within ten years from and after the passage of this act, then



the said act shall be null and void, except so far as it may be necessary to settle up and pay the debts of said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 319.

## A N A C T

Relating to the Guardians of the Poor of Manayunk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the guardians of the poor of the borough of Manayunk, shall be authorized and empowered to transfer and set over all the right, title and interest in all real estate and personal property held by said guardians of the poor, for the benefit of the poor of said borough, to the city of Philadelphia: *Provided,* That the existing arrangements for the support of the poor of the said city, shall be extended to the borough of Manayunk, and that all laws heretofore enacted for the support of the poor of said borough, be and the same are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 320.

## A N A C T

In relation to the Church and Burying Ground of the United Brethren and Associate Reformed Congregations in Mount Pleasant, Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George Barger, Christian Ebersol, David Keister and David S. Cheny, trustees of the church of the United Brethren in Christ, in the borough of Mount Pleasant, Westmoreland county, are hereby made capable in law, to convey to John Hunter, Samuel Warden, Joseph Andrews and John Andrews, trustees of the Associate Reformed Presbyterian church in said borough, the entire estate and interest of the said church of the United Brethren in Christ, being the one undivided half part of that certain church, churchyard and burying ground in the borough of Mount Pleasant, which the two congregations have owned and occupied, as tenants in common, since the year eighteen hundred and twelve, reserving only to the members of the said church of the United Brethren in Christ, the right forever of burying their dead in the graveyard belonging to the premises hereby intended to be ceded, in common with the members of the Associate Reformed church.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 321.

## A N A C T

Confirming the title to certain Real Estate in the City of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* no statute of mortmain, nor any other disabling statute act of Assembly, or law whatever, shall invalidate the title to two certain lots or pieces of ground, one of them situate at the southwest corner of Schuylkill Fourth, (now Nineteenth street,) and Lombard street in the city of Philadelphia, containing in breadth on

the said Schuylkill Fourth, (or Nineteenth street,) seventy-eight feet and in length or depth on the said Lombard street, one hundred and ninety-eight feet, and the other of them situate at the south east corner of Schuylkill Third, (now Twentieth street,) and the said Lombard street in the said city of Philadelphia, containing in front or breadth on the said Schuylkill Third (or Twentieth street,) seventy-eight feet, and extending thence in length or breadth on the said Lombard street, one hundred and ninety-eight feet, which said two lots of ground Henry M'Ilvaine and wife, by indenture dated the twenty-first day of May, Anno Domini, one thousand eight hundred and forty-one, (recorded in deed book G. S., number twenty-eight, page eighty-five, et cetera,) granted and conveyed unto Eli Beaty, cashier of the Hagerstown Bank of Hagerstown, in the State of Maryland, his heirs and assigns, but the said Eli Beaty may make as good and valid a title in fee simple, to the said lots of ground and to either of them, to any purchaser or purchasers of the same, as if such statutes, acts and laws had not existed, and free and clear of any demand, right, title or interest on the part of this Commonwealth: *Provided however*, That nothing in this act contained shall be deemed or taken to confer upon the said Eli Beaty any greater right, title or interest in the premises or any part thereof, as against any person or any corporation for whom he may be a trustee, than he may possess at the passage of this act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 322.

## AN ACT

For the Relief of Catharine Hubler and Catharine M'Intyre, widows of old soldiers of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer be and he is hereby authorized and required to pay to Catharine Hubler, of Mercer county, the widow of John Hubler, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, annually thereafter, during the term of her natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.



SECTION 2. That the State Treasurer be and he is hereby authorized and required to pay to Catharine M'Intyre, of Westmoreland county, the widow of John M'Intyre, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars annually during the term of her natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No 323.

## AN ACT

Relative to Land Patents in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act of March eleventh, one thousand eight hundred and forty-three, being the fourth section of said act, as declares that all patents granted by the Commonwealth, do pass and vest the entire estate of the Commonwealth to and in the patentees, free and clear of all liens, incumbrances and claims of the Commonwealth whatsoever, prior to the date of the respective patents, except for arrearages of purchase money, shall not be taken or construed to interfere with the rights of actual settlers, or to extend to lands that may have been escheated to the Commonwealth: and it is hereby declared, that the pre-emption right of actual settlers under existing laws of this Commonwealth, or under any law or laws that may have been repealed by the said fourth section herein referred to, shall in no wise be impaired in any suit of law now pending, or hereafter to be instituted by patentees on patents issued since the passage of the said fourth section.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 324.

## AN ACT

Declaring the Little Brokenstraw creek, in Warren county, a public highway, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Little Brokenstraw creek, in the county of Warren, is hereby declared a public highway from the mouth thereof to the New York State line, and all persons owning dams upon said creek are required to put suitable schutes or locks into the same, to accommodate the navigation of said creek, and every dam upon or across said creek, that shall not be provided with a suitable schute or lock as aforesaid, shall be deemed a nuisance, and all acts or parts of acts inconsistent with this are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 325.

## AN ACT

Legalizing the assessment of Certain Taxes by the Burgess and Town Council of the borough of Columbus, Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all road, school and borough taxes assessed by the burgess and town council in and for the borough of Columbus, Warren county, previous to the payment of the State tax for such incorporation, be and the same are hereby made as good and valid in law, as if the said taxes had been levied subsequent to the payment of said incorporation tax.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 326.

## AN ACT

For the relief of Rosanna M'Gary and Barbara Stuchell, widows of old soldiers,  
and for the relief of James Lydick, a soldier of the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is authorized and directed to pay to Rosanna M'Gary, now of Wayne county, State of Ohio, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half yearly, commencing on the first day of July, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 2. That the State Treasurer be and he is hereby authorized and required to pay to Barbara Stuchell, of Indiana county, the widow of a soldier of the Indian war, an annuity of forty dollars during life, to be paid half yearly, commencing on the first day of January, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 3. That the State Treasurer be and he is hereby authorized and required to pay to James Lydick, of Indiana county, a soldier of the Indian war, an annuity of forty dollars during life, to be paid half yearly, commencing on the first day of January, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 327.

## AN ACT

To incorporate the Farmers' High School of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and is hereby erected, and is established at the place which shall be designated by the authority, and as hereinafter



provided, an institution for the education of youth in the various branches of science, learning and practical agriculture, as they are connected with each other, by the name, style and title of the "Farmers' High School of Pennsylvania."

SECTION 2. That the said institution shall be under the manage- Management.  
ment and government of a board of trustees, thirteen of whom shall be a quorum, competent to perform the duties hereinafter authorized and required.

SECTION 3. That the president and vice presidents of the Pennsylvania State agricultural society, and the presidents of the several county agricultural societies which shall, at any time, have been organized more than one year, shall be ex-officio members of, and constitute the board of trustees; which said trustees, and their successors in office, are hereby erected and declared to be a body politic and corporate in law, with perpetual succession, by the name, style and title of the "Farmers' High School of Pennsylvania;" by which name and title the said trustees, and their successors, shall be able and capable in law to take, by gift, grant, sale or conveyance, by bequest, devise or otherwise, any estate in any lands, tenements and hereditaments, goods, chattels or effects, and at pleasure to alien or otherwise dispose of the same to, and for the uses and purposes of the said institution: *Provided however*, That the annual in- Proviso.  
come of the said estates so held, shall at no time exceed twenty-five thousand dollars; and the said corporation shall, by the same name, have power to sue and be sued, and generally to do and transact all and every business touching or concerning the premises, or which shall be necessarily incidental thereto, and to hold, enjoy, and exercise all such powers, authorities and jurisdiction, as are customary in the colleges within this Commonwealth.

SECTION 4. That the same trustees shall cause to be made a Seal.  
seal, with such devices as they may think proper, and by and with which all the deeds, diplomas, certificates and acts of the institution shall be authenticated, and they may at their pleasure alter the same.

SECTION 5. That on the second Thursday of June, after the Meeting.  
passage of this act, the board of trustees who are hereby appointed, shall meet at Harrisburg, and proceed to the organization of the institution, and selection of the most eligible site within the Commonwealth of Pennsylvania for its location, where they shall purchase or obtain by gift, grant or otherwise, a tract of land containing at least two hundred acres, upon which they shall procure such improvements and alterations to be made, as will make it an institution properly adapted to the instruction of youth in the art of farming, according to the meaning and design of this act; they shall select and choose a principal for the said institution—who, with such scientific attainments and capacity to teach, as the board shall deem necessary—shall be a good practical farmer: he, with such other persons as shall from time to time be employed as teachers, shall compose the faculty, under whose control the immediate management of the institution, and the instruction of all the youth committed to its care, shall be subject however to the revision, and all orders of the board of trustees; there shall be a quarterly meeting of the board of trustees at the institution, and as much oftener as shall be necessary, and they shall determine; the board shall have power to pass all such by-laws,

ordinances and rules, as the good government of the institution shall require, and therein to prescribe what shall be taught to, and what labor performed by the pupils; and generally to do and perform all such administrative acts as are usually performed by and within the appropriate duty of a board of trustees, and shall, by a secretary of their appointment, keep a minute of the proceedings and action of the board.

Duties of Trustees.

SECTION 6. That it shall be the duty of the board of trustees as soon, and as often as the exigencies of the institution shall require, in addition to the principal, to employ such other professors, teachers or tutors, as shall be qualified to impart to pupils, under their charge, a knowledge of the English language, grammar, geography, history, mathematics, chemistry, and such other branches of the natural and exact sciences, as will conduce to the proper education of a farmer; the pupils shall themselves, at such proper times and seasons, as shall be prescribed by the board of trustees, perform all the labor necessary in the cultivation of the farm; and shall thus be instructed, and taught all things necessary to be known by a farmer, it being the design and intention of this law, to establish an institution in which youth may be so educated, as to fit them for the occupation of a farmer.

Treasurer

SECTION 7. That the board of trustees shall annually elect a treasurer, who shall receive and disburse the funds of the institution, and perform such other duties as shall be required of him; and from whom they shall take such security, for the faithful performance of his duty, as necessity shall require; and it shall be the duty of the said board of trustees annually, on or before the first of December, to make out a full and detailed account of the operations of the institution for the preceding year, and an account of all its receipts and disbursements, and report the same to the Pennsylvania State agricultural society, who shall embody said report in the annual report, which, by existing laws, the said society is bound to make and transmit to the Legislature on or before the first Monday of January of each and every year.

Appropriation of funds.

SECTION 8. That it shall be lawful for the Pennsylvania State agricultural society to appropriate, out of their funds, to the objects of this act, the sum of ten thousand dollars, whenever the same shall be required, and to make such further appropriation annually, out of their funds, as will aid in the prosecution of this object; and it shall be the duty and privilege of the said society, at such times as they shall deem expedient, by their committees, officers or otherwise, to visit the said institution, and examine into the details of its management.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



## No. 328.

## AN ACT

To legalize the first election held in Cold Spring Township, in the county of Lebanon, and relating to certain election districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election held on Friday, the seventeenth day of March, A. D., one thousand eight hundred and fifty-four, by the citizens of Cold Spring township, Lebanon county, for justices of the peace, constables, supervisors, assessor, school directors, judge and inspectors of elections, be and the same is hereby declared to be good and valid in law, as if the officers conducting said election had been previously regularly authorized by act of Assembly to hold the same, and that the persons having a majority of the votes polled at said election, for the several officers above mentioned, are hereby declared to be duly elected thereto, and fully authorized to perform the respective duties thereof, any irregularity in the manner of conducting said election to the contrary notwithstanding. Election made valid.

SECTION 2. That Clay township, in Lancaster county, shall hereafter compose a separate election district, and the elections therein shall be held at the public house now occupied by George W. Steinmetz, and formerly by John Erb, in said township, and that Henry S. Eberly shall be judge, and Adam Oberlin and Martin Rumig, the inspectors, to hold the elections until their successors shall be chosen on the third Friday of March next. Clay township, Lancaster county.

SECTION 3. That the elections in Elizabeth township, Lancaster county, shall hereafter be held at the public house now occupied by George Bentz, in the village of Brickersville, and David Care shall be judge and Moses Brubaker and Lewis R. Hibshman, inspectors, to hold the elections therein until their successors shall be chosen on the third Friday of March next. Elizabeth township, Lancaster county.

SECTION 4. That the persons elected to township offices in Elizabeth township, on the third Friday of March last, shall fill the offices to which they were elected in the townships of Elizabeth or Clay, respectively, in which they may reside, and for the purpose of filling the vacancies which may exist in Elizabeth and Clay townships aforesaid, elections shall be held at the places hereinbefore designated on the second Friday of May next, of which elections the constable elected for Elizabeth township shall give the usual notices, and designate the offices then to be filled for each township. Township officers.

SECTION 5. That so much of any act of Assembly as erected a separate election district out of parts of Elizabeth and Penn townships, in Lancaster county, be and the same is hereby repealed, and the elections for Penn township, shall be held as heretofore at the public house of Christian Hershey, in said township. Repeal.

SECTION 6. That hereafter the qualified voters of Union township, Union county, shall hold their general and township Union township, Union county.



elections at the public house now kept by Catharine Brown, in said township.

Poormasters, Pal-  
myra township,  
Wayne county.

SECTION 7. That the election of poor masters in the township of Palmyra, in the county of Wayne, held on the seventeenth day of February, one thousand eight hundred and fifty-four, is hereby declared to be good and valid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 329.

### A N A C T

To legitimate Emeline Funk, of Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Emeline Funk, wife of William Funk, and daughter of Sarah Minor, of Fayette county, and State of Pennsylvania, shall have and enjoy all the rights, benefits and advantages of a child born in lawful wedlock, so as to render her able and capable in law to inherit and transmit any estate whatsoever of her said mother as fully and completely to all intents and purposes, as if the said Emeline Funk had been born in lawful wedlock.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 330.

## A N A C T

For the relief Eve Harper.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and required to pay to Eve Harper, of Washington county, a widow of a soldier of the Revolutionary war, or to her order, an annuity of forty dollars during her natural life, to be paid half yearly, commencing on the first day of January, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 331.

## A N A C T

For the relief of certain Widows of Old Soldiers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and directed to pay to Margaret Muse, of Mereer county; Eunice Boney, of Armstrong county; Jane Harbeson, of Butler county, and Abigail Gibson, of Armstrong county, widows of soldiers of the Revolutionary and Indian wars, a gratuity of forty dollars to each, and an annuity of forty dollars to each annually thereafter during the term of their natural lives, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 332.

## AN ACT

In relation to Elections and Election Districts.

Plunket's creek,  
Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the qualified voters of Plunket's creek, in the county of Sullivan, shall hereafter hold their general, special and township elections at the house of John J. Saddler, in said township.

Laporte, Sullivan  
county.

SECTION 2. That the validity of the borough election of the borough of Laporte, in the county of Sullivan, held on Thursday, the (10th) tenth day of November, one thousand eight hundred and fifty-three, at the Laporte hotel, or the right of the officers then elected to hold and exercise the duties of their several offices, shall not be impaired by reason of any irregularity in holding said election or otherwise.

Second Precinct,  
Eighteenth ward,  
Philadelphia.

SECTION 3. That the qualified voters of the second precinct, eighteenth ward, of the city of Philadelphia, shall hold their general, municipal and other elections at the house of S. & W. Knox, Beach above Shackamaxon street.

Washington town-  
ship, Fayette  
county.

SECTION 4. That so much of the township of Washington, in the county of Fayette, as is included in the following limits, viz: beginning at the mouth of Speers' run; thence along the Westmoreland line three-fourths of one mile; thence by a straight line to the dwelling-house of Joseph Springer, including the same; and thence by a straight line to the upper coal-way belonging to Samuel Clark; and thence by the Monongahela river to the place of beginning, be and the same is hereby erected into a separate election district, to be called Belleverson, and that the qualified voters of said district shall hold their general and township elections in Gould's school house, in said district, and that Adolph Eberhart be judge, and A. P. Fry and Thomas Taggart be inspectors of the elections until others are by law elected.

Munster town-  
ship, Cambria  
county.

SECTION 5. That the court of quarter sessions of Cambria county, are hereby authorized and directed to fix the place of holding the general and special elections for Munster township, in said county.

Jefferson town-  
ship, Fayette  
county.

SECTION 6. That the qualified voters of the township of Jefferson, in the county of Fayette, shall hereafter hold their general, special and township elections at the house of David Wakefield, in said township.

Orwell township,  
Bradford county.

SECTION 7. That from and after the passage of this act, the general, special and township elections of Orwell township, county of Bradford, shall be held at the house occupied by Francis C. Woodruff, of said township.

Hamilton town-  
ship, Franklin  
county.

SECTION 8. That from and after the passage of this act, the qualified voters of the township of Hamilton, in the county of Franklin, shall hold their township and general elections at the public house now occupied by Josiah Allen, in said township.

Allegheny city.

SECTION 9. That it shall be lawful for the councils of Allegheny city to fix the places of holding elections in said city,



and to divide any ward into precincts for election purposes ; and that citizens of Pittsburgh who are qualified to vote for members of the House of Representatives, shall be entitled to vote at all municipal elections in the city of Pittsburgh, and that any law conflicting herewith be and the same is hereby repealed.

SECTION 10. That the thirty-sixth and thirty-seventh sections of an act entitled "An act to incorporate the district of Belmont, in the county of Philadelphia, fixing the place of holding elections in the township of Elk Creek, in Erie county, &c.," approved fourteenth of April, one thousand eight hundred and fifty-three, and the eighth and ninth sections of an act regulating election districts in the borough of Connelville, &c., approved on the eighteenth day of April, one thousand eight hundred and fifty-three, be and the same are hereby repealed. Repeal

SECTION 11. That the qualified voters of the township of Ty- Tyrone township,  
Fayette county  
rone, in the county of Fayette, shall hereafter hold their general, special and township elections at the Cochran school house, in said township, and that so much of any laws as are not consistent with the provisions of this section, are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 333.

## AN ACT

To incorporate the Shade Gap, Shirleysburg and Juniata Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners  
Andrew P. Wilson, David Blair, Samuel Eby, Samuel M'Vetz, George Swine, Samuel H. Bell, Henry Brewster, William B. Leas, John Lutz, Thomas E. Orbison, Benson R. Wigton, Thomas G. Cromwell, Brice H. Blair, A. Shade, John Jameson, Samuel Miller, B. F. Haldeman, John Daugherty, John Barr, J. J. Melhenny, John Shaner and John Morrison, of Huntingdon county, and John W. Smith, John Purcill and Frederick Bower, of Mifflin county, and any seven of them be, and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Shade Gap, Shirleysburg and Juniata plank road company," Style.  
with power to construct a plank road from Milnwood academy, in the village of Shade Gap, by the way of Orbisonia and Shir-

Subject to provisions of certain act.

Proviso.

Proviso.

Capital stock.

Commencement and completion of road

leysburg, to Mount Union, in Huntingdon county, or Newton Hamilton, in Mifflin county; which said terminus shall be fixed and decided, by a majority of stockholders, voting at a meeting duly convened for that purpose, with all the authorities, and subject to all the provisions and restrictions to the act regulating plank road and turnpike companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto, excepting that of the thirteenth section of the first mentioned act relating to tolls, which discriminates in favor of wheels of the width of four inches and upwards; the company hereby incorporated, shall have power to regulate the tolls within the limits prescribed by the said thirteenth section, without regard to the width of wheels in any case: *Provided*, That the said company shall have power, and without further license, to erect gates, and collect tolls on any finished parts of said road, whenever not less than five consecutive miles are completed: *And provided further*, That the company hereby incorporated, shall have the right to occupy and use any county or township bridge now erected, which may be convenient and suitable in the location of their road, on condition that said company shall thereafter keep such bridge or bridges in good repair.

SECTION 2. That the capital stock of said company shall consist of one thousand shares at twenty-five dollars each, with power, however, to the said company, by a vote of the stockholders had at a meeting called for the purpose, from time to time, to increase their capital stock sufficient to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within two years, and complete three miles within four years from the passage of this act, this act shall be null and void, except so far as the same may be necessary to wind up the affairs of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 334.

## AN ACT

To authorize the establishment of a Ferry over the Delaware river in Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Cornelius Boults, Peter Trainer, John Lourie, Thomas Lourie,*

W. H. Curtis, Charles Horton, Elias Boults, their heirs and assigns, shall have the right and privilege, at their own expense, to make a good and convenient landing on the Pennsylvania side of the Delaware river, in Damascus township, in Wayne county, at or opposite a place called Callieoon, in the State of New York, and to use said river, as far as this State's jurisdiction extends opposite said landing, as a public ferry.

SECTION 2. That the said Cornelius Boults, Peter Trainer, John Lourie, Thomas Lourie, W. H. Curtis, Charles Horton, Elias Boults, their heirs and assigns, shall keep said landing, and Pennsylvania part of said ferry, in good order and repair, fit for the transportation and passage of travelers, teams, and carriages of all description; and shall keep good and substantial boats and other crafts, and competent and careful ferry-men, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams, and carriages across said river with all reasonable diligence and care.

Landings to be kept in good repair.

SECTION 3. That the said Cornelius Boults, Peter Trainer, John Lourie, Thomas Lourie, W. H. Curtis, Charles Horton, Elias Boults, their heirs and assigns, as a remuneration for keeping up and in good repair the said landing and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Wayne county, or as are received by other ferries of like import crossing said river, and to extend a rope or wire across the said river, if they may deem it advisable to facilitate crossing: *Provided*, That the right and privilege be obtained of the land holders in the State of New York, or of the State to suspend the east end of said rope or wire: *And provided further*, That the rope or wire shall not be so extended as to interfere with, or obstruct the ascending or descending navigation of said river; and that nothing in this act contained, shall be so construed as to receive or discharge any travelers, cattle, or carriages as aforesaid, in land belonging to any other person or persons, without the consent of the owner or owners thereof, or to prevent any future Legislature from resuming the privilege hereby granted.

Tolls

Proviso.

Proviso

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any ropes, wires or boats, or other property belonging to said ferry, he, she, or they so offending, shall each of them forfeit and pay to the said Cornelius Boults, Peter Trainer, John Lourie, Thomas Lourie, W. H. Curtis, Charles Horton and Elias Boults, their heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Cornelius Boults, Peter Trainer, John Lourie, Thomas Lourie, W. H. Curtis, Charles Horton and Elias Boults, their heirs and assignees, to be recovered as debts of like amount are by law recoverable.

Penalty for injury to works.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 335.

## AN ACT

Relative to the opening of Streets in the City of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions, of Lancaster county, shall have power to authorize the extension and opening of all streets and alleys within the city of Lancaster, in the manner directed, by and under the provisions of the general road laws of this Commonwealth, except so far as as the same may be herein altered or supplied.

Streets, Lancaster city.

Damages.

SECTION 2. That on the petition of the owner of any land through which any street or alley may be extended and opened, pursuant to the provisions of this act, representing that he or she has sustained damages thereby, the court of quarter sessions shall appoint six disinterested freeholders, three of whom shall be residents of the county and three of the city, to view the premises and adjudge the amount of damages, if any sustained, taking into consideration the probable advantages of the said street or alley to the petitioner, and the said amount shall be paid after being confirmed by the court out of the county treasury: *Provided,* That if any house, out-house, stable or other building shall be removed or injured by the opening or extension of any street or alley as aforesaid, the said jury shall estimate the value of such building or the injury done thereto, and present a statement thereof in their report, which amount after confirmation by the court, shall be paid out of the city treasury.

Provided.

Sureties of commissioners.

SECTION 3. That the commissioners of Lancaster county shall open an account with the city of Lancaster, showing the amount contributed by said city within the past two years, towards opening roads and erecting and repairing bridges in said county, and the amount drawn from the county treasury within the same period for opening streets or alleys in said city, to which account shall be charged or credited from time to time hereafter, the sums contributed or received by said city for said purposes, and any damages that may be incurred by the opening and extending of streets and alleys, while the balance on said account is against the city, shall be payable out of the treasury of said county, and be reimbursible out of the county treasury only when the balance shall be in favor of said city, and to the extent of such balance.

Courts of quarter sessions to decree width of streets.

SECTION 4. That the court of quarter sessions, of Lancaster county, shall decree the width of all streets opened or extended under the provisions of this act, which may be of such width as said court shall direct.

Repeal.

SECTION 5. That the eighth section of an act relative to opening certain streets in the city of Lancaster, and for other pur-

poses, approved the eighth day of May, one thousand eight hundred and fifty, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 336.

## AN ACT

Regulating certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Spring Brook,  
Luzerne county. the township of Spring Brook, in the county of Luzerne, is hereby erected into a separate election district, and that the qualified electors of the said township shall hold their election, for the election of township officers, on the third Friday in March, at the house now occupied by Warren Dolph, in said township; that the said electors shall, at the same place, on the morning of said day, between the hours of nine and eleven o'clock, A. M., organize a meeting with one president, two assistants, and two secretaries, who being duly sworn, shall provide boxes or other proper means for securing votes, shall elect one judge of election, two inspectors of election, to hold the election; the said judge and inspectors so elected, shall organize the board, shall proceed and conduct the said election, as provided by the general election laws of this Commonwealth, and thereafter the general, special and township elections shall be held at the house now occupied by the said Warren Dolph.

SECTION 2. That hereafter the election for high constable, Middletown,  
Dauphin county. burgess, town council and school directors, in the borough of Middletown, Dauphin county, shall be held on the third Friday of March annually, at the place, and by the officers authorized by law to hold the election for judge and inspectors of the general election.

SECTION 3. That the township of Sewickley, in the county of Allegheny, shall hereafter hold their general, special and township elections at the public house now occupied by Samuel Richey, in said township; and that Samuel Logan is hereby appointed judge, and Samuel Neely and James M'Clelland inspectors, for the next ensuing election. Sewickley town-  
ship, Allegheny  
county.

SECTION 4. That the act of Assembly permitting the qualified citizens of Ohio township, in the aforesaid county, to elect a Extension of act.

## LAWS OF PENNSYLVANIA,

township treasurer, is hereby extended to the aforesaid township of Sewickley.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 337.

## AN ACT

Relating to certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the borough of Greenfield, in the county of Washington, shall hold their general and borough elections at the house of John P. Smith, now in the occupancy of Hiram Holmes, in said borough.

Greenfield,  
Washington  
county.

SECTION 2. That the borough elections held in the borough of Patterson, in the county of Juniata, on the third day of May last, be and the same is hereby made valid, the same as if the act incorporating said borough had been in full force at the time of said election.

Patterson,  
Juniata county.

SECTION 3. That the qualified voters of Brown township, Mifflin county, shall hereafter hold their general and township elections at the public house now occupied by William Brothers, in said township.

Brown township,  
Mifflin county.

SECTION 4. That the qualified voters of the township of Penn, in the county of Huntingdon, shall hereafter hold their general, special and township elections at the public school house in Marklesburg, in said township.

Penn township,  
Huntingdon  
county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



[No. 338.

## A SUPPLEMENT

To an act incorporating the Holmesburg and Delaware River Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the capital stock of the Holmesburg and Delaware river plank road company is hereby reduced to two thousand shares of ten dollars each, per share; that the president and managers of said company are hereby authorized to enter upon, hold and possess the necessary lands suitable for offices and wharf purposes: damages to be assessed as provided in the ninth section of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the various supplements thereto.

SECTION 2. That the president and managers of said company are hereby empowered to collect tolls for the use of their wharf, on duly advertising the same: *Provided*, Said company have power to collect tolls in any incorporated city or borough in which their works may lie, and so much of any act as is hereby altered or supplied contrary to this act is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 339.

## AN ACT

To incorporate the Laurel Hill and Belsano Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners. Henry Rager, Emanuel Brallier, James Duncan, William K. Piper, John Gillen, junior, and Adam Makin, or any four of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, Style. style and title of the Laurel Hill and Belsano plank road com-

Subject to provisions of certain act.

Capital stock.

Proviso.

Commencement and completion of road

pany, to locate and construct a plank road from the northern termination of the Hinksons' plank road, at or near Samuel Davis's, in Cambria county, to the Cambria and Indiana clay pike road, at or near Belsano, in the said county of Cambria, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with this and the following sections of this act.

SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty-five dollars per share: *Provided*, That said company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete the same, according to the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of said road within two years from the passage of this act, and complete the same within four years thereafter, this act shall become null and void, except so far as to wind up the affairs of said company and pay the debts of the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 340.

## AN ACT

Regulating certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the general, special and township elections for the township of Bridgewater, Susquehanna county, shall hereafter be held at the court house in the borough of Montrose.

Bridgewater,  
Susquehanna  
county.

City of Pitts-  
burgh

SECTION 2. That it shall be lawful for the councils of the city of Pittsburgh, to divide any ward of said city into two precincts for election purposes, to fix the places of holding elections in said city, and to appoint officers to hold the same until such officers have been elected for the purpose.

Porter township,  
and Jersey Shore,  
Lycoming county.

SECTION 3. That the general, special, township and borough elections, for the township of Porter and borough of Jersey Shore, Lycoming county, shall hereafter be held at the house of Francis Carothers in said borough.



SECTION 4. That the general, special and township elections for the township of Clinton, Lycoming county, shall hereafter be held at the school house known as house number two in said township of Clinton. Clinton. Lycoming county.

SECTION 5. That the qualified voters of West Brunswick township, Schuylkill county, entitled to vote at general and township elections, are hereby authorized and empowered to determine by ballot, on Monday, the sixth day of May, one thousand eight hundred and fifty-four, between the hours of nine o'clock, A. M., and six o'clock, P. M., at the public house of Joseph Marburger in said township, to determine by a majority of all the votes polled on said day, whether the general election for said township shall hereafter be held at the place aforesaid or not; that the electors of said township shall vote a ticket on the outside of which shall be written or printed the words, "Election place," and on the inside of which shall be written or printed the words, "For Joseph Marburger," or the words, "Against Joseph Marburger," and if a majority of the votes so polled shall be in favor of Joseph Marburger, then the general election for said township shall hereafter be held at the place so designated, and the return to be made by officers hereby appointed, shall be filed in the office of the clerk of the court of quarter sessions of said county within five days thereafter, and that Daniel L. Boyer is hereby appointed judge, and Henry Dieffenderfer and Jacob Hoy inspectors, who are hereby authorized to appoint clerks for the purposes aforesaid, who shall be entitled to pay from the treasury of said county, as is usual in cases of the holding of township elections: said officers shall give at least ten days notice of such election by posting up ten or more written or printed notices at the most conspicuous places in said township. West Brunswick township. Schuylkill county.

SECTION 6. That the general and township elections for the township of East Brandywine, Chester county, hereafter shall be held at the Gurthreville temperance hall in said township. East Brandywine, Chester county.

SECTION 7. That hereafter the citizens of the borough of Greenfield, in the county of Washington, shall hold their special and general elections at the public house of John P. Smith in said borough. Greenfield Washington county.

SECTION 8. That the elections in Neville township, Allegheny county, shall be held at school house number one, hereafter to be called Chaplin, in said township, and the court of quarter sessions of the aforesaid county shall appoint one person to serve as judge and two persons as inspectors, to hold the election in October next, and shall have power to appoint a treasurer, overseers of the poor and supervisors for said township, who shall serve until the next March election. Neville township, Allegheny county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 341.

## AN ACT

In relation to Fines and Forfeitures in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the mayor of the city of Pittsburgh, and the mayor of the city of Allegheny, the aldermen of the said cities, and the justices of the peace in Allegheny county, shall furnish to the county treasurer of Allegheny county an account, under oath, of all fines and forfeitures imposed by them, or each of them, with the names of the persons against whom the same were adjudged, and the result of each case; and that this account shall be furnished on or before the first Mondays of January, April, July and October in each and every year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 342.

## AN ACT

For the Relief of Jacob Cook, a soldier of the Indian War, and Mary Fry, of Dauphin county, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and required to pay to Jacob Cook, residing in Athens county, State of Ohio, a soldier of the Indian wars, or to his order, an annuity of forty dollars during his natural life, to be paid half yearly, commencing on the first day of January, one thousand eight hundred and fifty-four.

SECTION 2. That the State Treasurer be and is hereby authorized and required to pay to Mary Fry, of Dauphin county, the widow of the late Lawrence Fry, a soldier of the Revolutionary war, or her order, a gratuity of forty dollars, and an

annuity of forty dollars each year during her natural life, to be paid half yearly, commencing on the first day of July, A. D., one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 343.

## AN ACT

To incorporate the President and Managers of the Sinking Run Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Washington Davis, Joseph Fry, John D. Stewart, George Mat-  
Commissioners.  
 tern, Lewis Palmer, William Henderson, William Nevling, James M'Quead, John D. Bell, Moses Robison and Joshua Burley, be and they or any two of them are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style, and title of the "Sinking Run  
Style.  
 plank road company," with power to construct a plank road commencing at or near the mouth of Sinking run, in Blair county; and thence ascending said run by the most practicable route to a point at or near Nevling's mill, in Clearfield county, subject  
Subject to the provisions of certain act.  
 to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved on the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall con-  
Capital stock  
 sist of one thousand shares of twenty-five dollars each: *Pro-*  
Proviso.  
*vided,* That said company may from time to time by a vote of the stockholders had at a meeting called for the purpose, to increase their capital stock if it shall be deemed necessary, to carry out the true intent and meaning of this act.

SECTION 3. That the president and managers of said company  
Power to borrow money.  
 be and are hereby authorized and empowered to borrow a sum of money, not exceeding ten thousand dollars, to be used in the construction of said road, and that they be and are hereby authorized to issue bonds or certificates of indebtedness signed by the president, under the seal of said company, in sums not less than one hundred dollars, bearing six per centum interest, payable semi-annually by the treasurer of said company, or in the city of Philadelphia.

Supervisors.

SECTION 4 That supervisors of townships through which said road shall pass, who shall be elected in the year one thousand eight hundred and fifty-five, or in any year thereafter, are hereby authorized and empowered to subscribe and pay such number of shares of in and to the capital stock of said company, as they, the said, supervisors shall deem proper and expedient, and the said supervisors are hereby authorized and empowered to levy and collect a sufficient amount of tax, in the way and manner of other township rates, to pay the stock by them so subscribed, or may borrow such an amount if they the said supervisors deem it expedient to do so: *Provided*, The loan thus authorized shall not exceed for any one township the sum of one thousand dollars.

Proviso.

Commencement  
and completion of  
road.

SECTION 5. That if said company shall not commence the construction of said road in three years, and complete the same within six years from the passage of this act, then this act shall be null and void, except so far as the same may be necessary to wind up and settle the affairs and pay the debts of the company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 344.

## A SUPPLEMENT

To an act, entitled "An act relating to Roads and Bridges," approved June thirteenth, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That the clerk of the quarter sessions of the county of Philadelphia shall procure and keep sufficient dockets, in which he shall enter the cases of streets, roads and alleys, under the appropriate title, and the term and number thereof, and the date of filing reports, petitions, exceptions, decrees, and every action of the court or parties, and of papers filed concerning the same; and if exceptions be not filed to the report of any jury in any road, street or alley case in the said county, at the next term after filing of such report, the same shall be final and absolute: *Provided*, That the same be filed thirty days before the commencement of the term.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 345.

## A SUPPLEMENT

To an act to incorporate the Birmingham and Brownsville Macadamized Turnpike Road Company, and an act to incorporate the Temperanceville and Noblestown Turnpike or Plank Road Company, and in relation to the Allegheny and Butler Plank Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That in lieu of the tolls now chargeable, the directors of the Birmingham and Brownsville, and the Temperanceville and Noblestown turnpike or plank road companies, and Allegheny and Butler plank road company, shall be and they hereby are empowered to charge on carts and wagons laden with coal, stone or wood, at a rate not exceeding, per mile, for each horse drawing the same, not exceeding two, two cents; for each horse exceeding two, and not exceeding four, three cents; and for each horse exceeding four, four cents.

SECTION 2. That the directors of the Birmingham and Brownsville Macadamized turnpike road company, shall have authority to sell or lease to such person or persons, corporation or company, as will finish and complete the same—that portion of said road extending from Birmingham to Mount Oliver; and that the purchasers or lessees thereof, shall have the same powers as to the levying and collecting of tolls, as are or may be conferred upon such directors.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 346.

## A SUPPLEMENT

To an act to incorporate the University of Northern Pennsylvania, approved March twenty-fourth, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the University of Northern Pennsylvania, be and the same are hereby authorized and empowered to apply any unex-

pending balance of the Beach Wood academy fund, which was transferred to said University, by an act of the General Assembly, approved April second, one thousand eight hundred and fifty, to the payment of debts due by said institution, for the erection of new, and repairs of old buildings.

SECTION 2. That all laws now in force inconsistent with the provisions of this act, be and the same are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

#### No. 347.

### A FURTHER SUPPLEMENT

To an act entitled "An act to incorporate the Blockley and Merion Plank Road Company," approved the fifth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Blockley and Merion plank road company, be and they are hereby authorized to borrow any sum of money, not exceeding twenty thousand dollars, that may be necessary to enable them to complete their road and discharge the debts incurred in the construction thereof, and to issue bonds therefor of not a less denomination than one hundred dollars each, at any rate of interest not exceeding six per centum per annum, which bonds shall be signed by the president and treasurer, bearing the seal of the company, and payable at such times and upon such terms as may be agreed upon by and between the parties, and in order to secure the bond-holders, the revenue arising from the road, after deducting the amount required for ordinary expenses and renewals, shall be appropriated to the payment of the semi-annual interest on and liquidation of said bonds, and if they shall deem expedient, by a mortgage upon their road, and all or any of their property real and personal, together with all the rights, privileges, immunities and franchises of, or belonging to the company: *Provided*, That the stockholders shall receive no interest or dividend from the revenue of the road, until the debts are fully satisfied and discharged.

SECTION 2. That the Blockley and Merion plank road company, are hereby authorized and empowered to connect their

Authority to borrow money.

Proviso

Connections.

plank road with Haverford street, by constructing an artificial road of wood, stone or gravel, in, over and upon, the bed of Merion avenue, not less than fifty feet in width, as laid out and opened by authority of an act of Assembly of this Commonwealth, passed the sixth day of April, one thousand eight hundred and fifty, from the junction of said Merion avenue with said plank road, to said Haverford street, east of Gheen's hotel: *Provided*, That said road shall be commenced within one year <sup>Provided</sup> and completed within two years, from and after the passage of of this act, subject to the provisions and restrictions of the act of Assembly regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the special act incorporating the Blockley and Merion plank road company, passed the fifth day of April, one thousand, eight hundred and fifty-three.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

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No. 348.

## A SUPPLEMENT

To an act to incorporate the Frankford and Oxford Plank Road and Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for the president and directors of said company to charge and receive toll from persons living on and along the line of said road, and not passing their gate or toll-bar, in the same proportions of rates for miles, or fractions of miles traveled on their road, as is provided for in their charter for persons traveling over their road, or portions thereof, and passing through their gate, to wit: one cent per mile for each horse or mule so traveling, or in like proportions for all fractions of miles so traveled.

SECTION 2. That it shall be lawful for the president and directors of said company to compel persons living on and along the line of said road, to contract with the president and directors of said company, to pay weekly, monthly or quarterly, (in advance,) as may be agreed upon by the president and directors of said company, the amount of toll for each week, month or quarter so traveled, at the rate of one cent per mile for each horse or mule so traveling on said road; the amount to be computed by the



president and directors of said company, and the parties so traveling, having due regard to the number of miles he, she, or they may travel over said road in each week, month or quarter: *Provided nevertheless*, That no part of this act shall be so construed, as to prevent persons from passing or repassing from one part of their farm to another part thereof free of toll.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 349.

## A N A C T

Relative to the Richboro' and Feasterville Turnpike Road Company.

WHEREAS, An act of the Legislature of the Commonwealth of Pennsylvania, was passed the twentieth day of April, one thousand eight hundred and fifty-three, authorizing the president and managers of the Richborough and Feasterville turnpike road company, in the county of Bucks, to sell at public sale and transfer to the purchaser or purchasers thereof, their road, estate and corporate property for the purposes therein named :

*And whereas*, The said president and managers, have sold at public sale all the road, estate and corporate property of the said Richborough and Feasterville road company :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the purchasers of the Richborough and Feasterville turnpike company, be hereby invested with all the chartered rights, privileges and franchises belonging to said company, and the said purchasers shall hereafter hold, use and enjoy the said road, estate, corporate property, chartered rights, privileges and franchises during the whole of the residue of the term of the charter of said company, subject to all the provisions and restrictions of said charter, in as full and ample a manner as the stockholders of such company might have used and enjoyed the same, and the said purchasers shall retain the title of the Richborough and Feasterville turnpike road company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 350.

## AN ACT

Authorizing the Governor to incorporate the Norristown and Springtown Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That Isaac Roberts, Daniel H. Mulvany, William H. Slingluff, Philip Gillinger, Daniel Longaker, Christian Meeh, Jacob L. Paxton, Henry M. Miller, Henry Freedley, James Wells, William M. Jamison and Elijah Lewis, be and are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style, and title of the "Norristown and Springtown turnpike road company," with full power and authority to construct a turnpike road from the Schuylkill bridge, at the foot of De Kalb street, in the borough of Norristown, in the county of Montgomery, upon and over the bed of said De Kalb street in said borough, and to continue the same from the line of said borough, upon and over the bed of the public road commonly known as the De Kalb street road, until the same intersects the Germantown and Perkiomen turnpike road, at or near the village of Springtown, in the township of Norriton, in said county, the said company to have and enjoy all the rights and privileges, and be subject to all the liabilities and restrictions expressed and provided in and by an act of the General Assembly of the Commonwealth of Pennsylvania, entitled An act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto. *Provided however,* That the said company in constructing their road through the said borough of Norristown, shall conform to the grade of the said De Kalb street, as established by the town council of the said borough, and in all respects this part of said company's road, shall be subject to the rules and regulations of the said borough.

Commissioners

Style.

Subject to the provisions of certain act.

Proviso.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, at ten dollars per share.

Capital stock

SECTION 3. That the officers of said company shall consist of a president, secretary, and nine managers, to be elected as provided by the act of Assembly hereinbefore mentioned.

Officers.

SECTION 4. That the corporate authorities of the borough of Norristown, are hereby authorized to subscribe for such number of shares of the capital stock of said company as they may deem proper, on behalf of said borough. *Provided,* That such subscriptions shall not be for more than one hundred shares.

Subscription

Proviso.

SECTION 5. That if said company shall not commence the construction of the road within one year, and complete the same within three years after the passage of this act, it shall become null and void, except for the purpose of paying the debts and winding up the affairs of the said company.

Commencement and completion of road.

SECTION 6. That if at any time after the passage of this act, and within one year after the completion of the road hereinbefore

Extension.



mentioned, the said company shall deem it expedient to extend the same from the point fixed for its termination in the first section of this act, to the village of Centre Square, in the township of Whitpain, in said county, they are hereby authorized to make such extension thereof, upon and over the beds of the De Kalb street and State roads, until the latter intersects the Skip-pack road at Centre Square aforesaid, and they are hereby authorized to increase the number of shares of their capital stock, sufficiently to enable them to make said extension. *Provided*, That said extension shall be commenced within one year after the completion of the road hereinbefore mentioned, and completed within five years after the passage of this act.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 351.

## A SUPPLEMENT

To an act in relation to the Railroad between Chambersburg and Hagerstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Chambersburg, Greencastle and Hagerstown railroad company, for the purpose of completing the purchase of the railroad from Chambersburg to Hagerstown, re-laying the said road, and the objects of its charter, be authorized and empowered to create a preferred stock, upon such terms and guaranties, regarding the dividends thereon, as shall be determined upon by the board of managers at any general or special meeting convened for that purpose, to the same amount authorized to be issued by the purchasers of the said railroad, their vendees or assigns, by the thirteenth section of an act, entitled "An act to authorize the laying out of a State road from Brighton bridge, in Beaver county, to Martin Burns, in Allegheny county; and also from New Cumberland, in Cumberland county, to the east end of the Lisburn bridge, in York county; to authorize the erection of a lock-up house in the city of Lancaster; relative to the Franklin railroad company; and extending the time for the completion of the Lancaster and Ephrata turnpike and plank road company," approved the first day of April, A. D., one thousand eight hundred and fifty-two.

SECTION 2. That the subscribers for, or purchasers of the said stock, their executors, administrators or assigns, shall, at all



elections, be entitled to all the rights and privileges of other stockholders: *Provided*, That all persons who have already subscribed for any of the capital stock of the Chambersburg, Greencastle and Hagerstown railroad company, and paid an instalment of ten dollars per share thereon, as required by the charter of said company, shall be entitled to receive preferred stock for such subscriptions, on the same terms as other subscribers for said preferred stock.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 352.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Penrose Ferry Bridge Company." passed ninth day of April. Anno Domini, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Penrose ferry company shall have power to build or cause to be built such pier or piers, and to construct or cause to be constructed thereon a pivot bridge, in lieu of the floating bridge authorized by the act to which this is a supplement; the opening of the draw on each side of the central pier to be sixty-six feet wide.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 353.

## A SUPPLEMENT

To an act entitled "An act to prevent the obstruction of the Cowanesque Creek,"  
 passed the fourth day of March, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act of the fourth day of March, one thousand eight hundred and fifty-four, entitled "An act to prevent the obstruction of the Cowanesque creek," shall not be applied to prevent the floating by the owner or owners, of all saw-logs lying in said creek or upon its banks, before the passage of said act, and that hereafter the owners of saw-logs shall be permitted to float the same in said creek a distance not exceeding four miles, for the purpose of manufacturing the same on said stream, and that so much of the above entitled act as is altered by this supplement, is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 354.

## A SUPPLEMENT

To an act, entitled "An act relating to the Sale and Conveyance of Real Estate."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases of sales, mortgages, leasing, and letting on ground rent, of any real estate authorized under the act to which this is a supplement, where the trustees, executors, administrators, guardians, committees, or other persons authorized to make such sale, mortgage or lease, shall reside out of the county where such real estate is situate, the deed, mortgage, or lease thereof, may be acknowledged before the court of common pleas or orphans' court of any county of this State, where the person or persons executing the same may reside, and certified under the

Acknowledgment  
 of deeds of mort-  
 gages, &c.

seal of such court to have been so acknowledged ; and such certificate of acknowledgment shall be read in open court of the county where the real estate is situate, and entered upon the records thereof ; and upon being so entered, shall have the same effect as if the deed, mortgage or lease had been acknowledged before said court, as now required by law.

SECTION 2. That it shall and may be lawful for any trustee, committee, guardian, or other person acting in a fiduciary capacity, to invest trust moneys in ground rents, or other real estate, by leave of the proper court, under proceedings as provided in the act to which this is a supplement : *Provided*, That it shall be the opinion of the court, that such investment will be for the advantage of the estate, and no change be made in the course of succession by such change of investment, as regards the heirs or next of kin of the *cestui que trust*.

Investment of trust monies.

Proviso.

SECTION 3. That in all cases wherein any of the courts of this Commonwealth might have authorized any sale or conveyance, or letting on ground rent or otherwise, and such sale, conveyance or letting, may have been made without the leave of such court, it shall be lawful for such court, if approving of such sale or conveyance or letting, to approve, ratify and confirm the same, with the same effect as if such decree had preceded such sale, conveyance or letting.

Courts may confirm, sell or conveyance it in certain cases.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 355.

## AN ACT

Changing the organization of the Court of Common Pleas of Lancaster County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the Governor to fill the vacancy now existing in the office of associate judge of the court of common pleas, of Lancaster county, by appointing thereto a competent person, learned in the law, to continue till the first Monday of December next, and at the next general election the qualified electors of Lancaster county shall elect a competent person, learned in the law, to be an associate judge of said court, who shall hold his office for the term of ten years from the first Monday of December next, if he shall so long behave himself well.

Governor to appoint a law judge for the Court of Common pleas of Lancaster county



President judge to hold courts for trial of civil issues pending.

SECTION 2. It shall be the duty of the president judge or associate judge of the said court, learned in the law, from time to time, as may be found requisite, to hold a court of common pleas for the trial of civil issues pending in said court, although at the same time two of the judges of said court may be holding the usual courts of common pleas, quarter sessions or orphans' courts, according to existing laws, and for the summoning of the proper number of jurors for the trial of such issues, a separate venire facias shall issue to the jurors, to be drawn in the manner now prescribed by law.

Judges to sit jointly on the hearing of all cases.

SECTION 3. That it shall be the duty of the two judges of the said court, learned in the law, to sit jointly on the hearing of all cases in equity, arguments in the common pleas and orphans' courts, and on motion in arrest of judgment, and for new trials in criminal cases, but in case of sickness or inability to attend, or with consent of parties, either of them may hear and decide such cases without the presence of the other: *Provided*, That either judge may act on preliminary motions, rules and orders.

Proviso.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 356.

## A FURTHER SUPPLEMENT

To an act entitled "An act authorizing the Governor to incorporate the Rock Cabin and Tangascootac Railroad Company," in Centre county, approved the fourth day of April, one thousand eight hundred and thirty-one, and of the several supplements thereto.

Authority to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the company authorized to be created by the act to which this is a supplement, and of the several supplements thereto, in addition to the rights and privileges already conferred, be and the same is hereby authorized and empowered to borrow for the general purposes of the same, a sum of money not exceeding two hundred thousand dollars, at a rate of interest not exceeding eight per centum, and to issue therefor the bonds of said company, in sums not less than one hundred dollars each, which said bonds said company may secure by a mortgage upon the real estate or other property and their corporate franchises, and said bonds may be made convertible into the stock of said company at the option of the holder, but in the event of such conversion the capital stock may be increased to an amount equal to the amount so

converted, and that said company may after first meeting the interest on said bonds, and appropriating annually a sum sufficient towards a sinking fund, that will meet the principal of the sums of money borrowed as aforesaid at the maturity of the bonds, divide the balance of their net profits, whatever the same be, rateably to and among their several stockholders respectively: *Provided*,<sup>Proviso</sup> That notwithstanding said mortgage, said company shall have authority to make sale of the coal, minerals or other products mined or taken from their said lands, and that said company may lease out the coal and other minerals to be mined from their said lands, and may cut down and make sale of the timber growing upon the same without impeachment for waste, but shall apply all the net profits from the same in the manner hereinbefore directed.

SECTION 2. That the number of directors of said company shall be five, who shall with the consent in writing of a majority in interest of the stockholders, have authority to establish their principal office for the transaction of the business of said company, at such points as they shall deem most expedient for the interests of the stockholders, and that said company may divide its capital stock into shares of not less than ten dollars each, and that said company may hold land in the county of Clinton: *Provided*, That nothing herein contained shall be construed to authorize said company to hold any greater quantity of land than has been already heretofore authorized. <sup>Number of Directors.</sup> <sup>Proviso.</sup>

SECTION 3. That said company may at any time hereafter, with the consent of a majority in interest of the stockholders, adopt any corporate name that they shall deem expedient: *Provided*,<sup>Corporate name.</sup> That public notice shall be immediately thereafter given of such change of name, for five successive weeks, in all the newspapers of the counties of Lycoming, Centre and Clinton. <sup>Proviso.</sup>

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 357.

## AN ACT

To provide for the Payment of the Claim of William Shultz against the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners be and they are hereby authorized to examine the claim of William Shultz, of the county of Phila-*



delphia, for damages alleged to have been sustained by him, from the Commonwealth using his patent spark catcher on the State railroads, and report the same to the Legislature as soon as practicable.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 358.

## AN ACT

Relative to the Estate of the Honorable John Bredin, late of Butler county, deceased.

Preamble.

WHEREAS, The Honorable John Bredin, late of Butler, Pennsylvania, deceased, and Samuel A. Purviance, Samuel M. Lane and Amos N. Meylert, on the tenth day of April, Anno Domini, one thousand eight hundred and fifty-one, entered into articles of agreement with Joseph R. Ingersoll and John Craig Miller, representatives of the estate of William Bingham, late of the city of Philadelphia, deceased, for the purchase of all the estate of the said William Bingham, real and personal, situate in the counties of Clarion, Jefferson, Venango and Forest, in Pennsylvania, consisting of lands, bonds, mortgages, contracts, notes and other claims, except as in said agreement is excepted.

*And whereas,* Before the consummation of the said purchase or final delivery of the contracts, bonds, et cetera, the said John Bredin died intestate, leaving a widow and eight children, five of which are minors.

*And whereas,* Afterwards at the special instance and request in writing of the widow administrator and such of the heirs of the said John Bredin, as were of lawful age and of the said Samuel A. Purviance, Samuel M. Lane and Amos N. Meylert, the said articles of agreement were consummated by the heirs at law and legal representatives of the said William Bingham, by deeds of conveyance, bearing date the twelfth day of July, Anno Domini, one thousand eight hundred and fifty-one, recorded in the office for recording deeds in the county of Clarion, in deed book C, page four hundred and eighty-six, et cetera, and also in book C, page seven hundred and seventy-five, et cetera, conveying all the estate, real and personal, of the said William Bingham, except as is therein excepted in the counties aforesaid, to Samuel M. Lane and Amos N. Meylert in trust, to sell and convey the said lands, and to collect the said bonds, contracts, et cetera, and to apply the proceeds thereof, first to the payment of the consideration money mentioned in said deeds of convey-



ance, and after the full payment of said consideration money, to have and to hold the residue of the said real and personal estate in trust, and for the use of them the said Samuel M. Lane and Amos N. Meylert, and for the use of Samuel A. Purviance, and the heirs and legal representatives of the said John Bredin, deceased, in equal portions as tenants in common; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said deeds of trust to Samuel M. Lane and Amos N. Meylert, be valid and binding as to the rights and interests of the minor children of the said John Bredin, deceased, as fully as if they had been of lawful age, and had assented thereto at the time of the delivery of the said deeds. Deeds of trust to be valid and binding.

SECTION 2. That the said deeds of trust to Samuel M. Lane and Amos N. Meylert, be taken to vest in the grantees for the uses and trusts therein described, all the estate, except as in said deeds is excepted, real and personal of the said William Bingham, and of his heirs and legal representatives in said counties of Clarion, Jefferson, Venango and Forest, which existed and remained undisposed of at the date of said deeds, and be received for all purposes of evidence and conveyance, in the same manner, and with like effect, as if they had been made and delivered by the said William Bingham, in his lifetime. To vest in grantees.

SECTION 3. That the guardian or guardians of the minor children of the said John Bredin, together with his widow, and such of his heirs as may be of lawful age, after the payment of the consideration money mentioned in said deeds of trust, be and are hereby authorized and empowered to make an amicable partition with the other purchasers aforesaid, of all the said estate, real and personal in the counties aforesaid, remaining undisposed of, and to execute and deliver to the said Samuel A. Purviance, Samuel M. Lane and Amos N. Meylert, their respective heirs or assigns, such deeds and conveyances as may be necessary to convey to them, and each of them, their heirs and assigns, their respective shares in severalty; and to execute and deliver such instruments of writing as may be necessary and proper to indemnify the said Samuel M. Lane and Amos N. Meylert, and their heirs, for the one-fourth part of any loss which they may sustain by reason of covenants of warranty, or other legal engagements properly assumed by them in the execution of their powers, under the said deeds of trust; and to receive such deeds and conveyance from the said Samuel A. Purviance, Samuel M. Lane and Amos N. Meylert, their heirs or assigns, as may be necessary to convey to the said heirs at law of John Bredin, their respective shares in severalty. Amicable partition.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 359.

## AN ACT

For the relief of Margaret Peters, the widow of an old soldier of the Revolutionary and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the State Treasurer be and he is hereby authorized and required to pay to Margaret Peters, the widow of Jacob Peters, of Crawford county, a soldier of the Revolutionary and Indian wars, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter during the term of her natural life, payable half yearly, commencing on the first day of July next, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 360.

## AN ACT

To authorize the appointment of Notaries Public in Lycoming and Allegheny counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Governor be and he is hereby authorized and empowered to appoint a notary public for this Commonwealth, to reside in the borough of Jersey Shore, Lycoming county, who shall be in addition to the number now authorized by law to be appointed for that county.

SECTION 2. That the Governor is also hereby authorized and empowered to appoint an additional notary public for the county of Allegheny, who shall reside and keep his office in the borough of Manchester, in said county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 361.

## A FURTHER SUPPLEMENT

To the act entitled "An act to incorporate the Mine Hill and Schuylkill Haven Railroad Company," approved the twenty-fourth day of March, Anno Domini, one thousand eight hundred and twenty-eight.

WHEREAS, The general interests of the owners of mineral and other lands, lying west and north of the Mine Hill and Schuylkill Haven railroad, will be greatly promoted by the extension of said road and its branches so as to reach all the lands contiguous thereto :

*And whereas*, The capital to which the company is restricted has been expended in furtherance of the objects of the charter and its supplements; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the purpose of making the said lateral branches and extension, and other purposes consistent with its charter, the said company is hereby authorized to increase its capital stock from time to time, as the board of managers may deem best, as has been done heretofore under the charter and its supplements, by an amount not exceeding ten thousand shares: *Provided*, That the dividends on the increased capital shall be governed by the same rules and restrictions as are now by law prescribed for regulating the same: *And provided*, That the present act shall not take effect until accepted by the managers of the Mine Hill and Schuylkill Haven railroad company, at a meeting duly convened, and a certificate of such acceptance shall be forwarded to the Governor of the Commonwealth of Pennsylvania.

SECTION 2. That the fifth section of an act entitled "A further supplement to the act incorporating the said Mine Hill and Schuylkill Haven railroad company," approved on the seventh day of April, Anno Domini, one thousand eight hundred and forty-nine, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 362.

## AN ACT

Authorizing Robert Elliott, of Ickesburg, Perry County, to sell the Temperance Hall and lot of ground upon which the same is erected, in said town.

WHEREAS, James Millegan and Eleanor his wife, by an indenture dated the twenty-sixth day of March, one thousand eight hundred and forty-nine, did grant and convey to Robert Elliott, Esquire, in trust, part of a lot of ground in the town of Ickesburg, in the county of Perry, on which, by the contributions of a number of the citizens, a house was erected called the Temperance Hall, but intended to be used as a school house, and for other purposes named in said conveyance :

*And whereas*, The said house is yet unfinished and going out of repair, and on account of its location and dimensions is unsuitable for the purposes intended ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the court of common pleas of Perry county may, in their discretion, authorize and empower, Robert Elliott, trustee as aforesaid, to sell the said house, and ground on which it stands, as soon as a fair price can be procured, and convey to the purchaser all the title now vested in him as trustee, said ground being a part of and on the north-western corner of a lot then owned by said James Millegan, (now Charles Booda,) fronting on the street twenty-five feet, and running back the same width by an alley and lot of George Baker, esquire, thirty-five feet, containing one hundred and seventy-five square feet, more or less, and as soon as the same is sold, the said trustee shall pay over and deliver the purchase money or bonds, (as the case may be,) to Robert C. Boden, John Power, esquire, and Abraham B. Wilson, who shall be a committee to ascertain and decide how much was paid, done or contributed by each individual in procuring said ground and erecting said building thereon, and pay over to each such part of the purchase money as shall be his just proportion, according to the amount paid or done by him: *Provided*, That all existing debts against said property be first paid before such distribution be made.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 363.

## AN ACT

Relative to Common School Districts, organized since June first, Anno Domini, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the several school districts of this Commonwealth, which did not avail themselves of the provisions of the different acts of Assembly relating to common schools, and making annual appropriations to school districts, upon conditions prescribed in said laws, till after the first day of June, Anno Domini, one thousand eight hundred and fifty-one, but have since that time complied with all the provisions of the acts above referred to, shall, in addition to the annual appropriations made under existing laws, be entitled to a deduction of twenty-five per centum of all moneys paid into the county treasury by such districts for State purposes, for the two next ensuing school years; which money so deducted, shall be paid to the treasurer of the board of school directors of such school districts, and shall be exclusively appropriated to the erection of school houses in such school districts.

SECTION 2. That all school districts which shall organize, and comply with the requisitions of the school laws above mentioned, prior to the first day of June, Anno Domini, one thousand eight hundred and fifty-five, shall come under the provisions, and be entitled to the benefits of the foregoing section.

E. B CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 364.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Fayette County Mutual Fire Insurance Company," approved the twenty-fifth day of March, one thousand eight hundred and forty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Board of managers. the board of managers provided for in the second section of said gers.

act shall consist of twenty-one members, and that seven of whom shall form a quorum.

Employment of  
capital stock.

SECTION 2. That it shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof in purchase of any judgments or mortgages or in any loans or stocks of the United States or of this Commonwealth, and no money shall be drawn from the funds of the said company, for the purpose of making dividends or dividing profits, nor for other purposes than first to defray the current or incidental charge of the corporation, and then for the purpose of paying such damages as any member of the said company, or insurer may be justly entitled to, and when the just demand of any person insured in said company, or member thereof shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same, shall without unnecessary delay be assessed by any three of the managers appointed by the president on the insurance, each member to pay in proportion to the amount of his premium note, and publish the same and all and every of the members of the company shall pay into the hands of the treasurer, his, her or their proportionable parts of such rates within sixty days after such publication as aforesaid, and in default thereof shall be proceeded against according to the provisions of the act to which this is a supplement.

Committee.

SECTION 3. That the committee provided for in the eighth section of the act to which this is a supplement, shall consist of members of the company, whether they be managers or not.

Repeal

SECTION 4. That all parts of the act to which this is a supplement, inconsistent with this act be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 365.

## A N A C T

Relative to the North Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the certificates of loan, issued in sums of not less than one hundred dollars, in payment of instalments on shares of the capital stock of the North Pennsylvania railroad company, by corporations authorized to subscribe therefor, shall not be subject to any tax whatsoever, except for State purposes.

Certificates of  
loan not subject  
to tax.



SECTION 2. That it shall be lawful for said company to change, alter, or modify the grade of Washington street, between Cherry street and Allegheny avenue, in the county of Philadelphia, to suit the grade of their road: *Provided*, That such change or modification shall be approved by the recording surveyor of the district of Kensington, and the court of quarter sessions of the county. Grade may be changed.  
Proviso.

SECTION 3. That any railroad company connecting with said North Pennsylvania railroad at either end, or at any intermediate point on the main line thereof, and also any railroad company east of the Susquehanna river in Pennsylvania, and west of the Susquehanna river in New York, forming in any way a part of a continuous line leading to and from said North Pennsylvania railroad company, and thereby establishing a communication with the city of Philadelphia, is hereby authorized and empowered to subscribe to the capital stock of said North Pennsylvania railroad company, and to provide for the payment of such subscription by issuing certificates of stock, in the usual manner in such cases, or bonds in sums of no less denomination than one hundred dollars: *Provided*, That it shall require the assent of a majority of the whole number of the board of directors, in each and every case, to make a subscription as authorized by this section: *And provided also*, That the subscriptions so made shall not, at any time, exceed one-third of the whole amount of the actual capital stock of said North Pennsylvania railroad company. Subscriptions.  
Proviso  
Proviso.

SECTION 4. That said North Pennsylvania railroad company, are hereby authorized and empowered to purchase, hold and use any railroad or any portion of any railroad belonging to any other company, and occupying a location parallel with or contiguous to the surveyed line of their main road, and which may be merged into and made a part of a consolidated through line, upon such terms and conditions as may be mutually agreed upon by said company, and any other company owning an intervening link or intermediate road located as aforesaid, and hereby authorized to sell and convey the same or any portion thereof for the purposes herein set forth. Authority to purchase or use any other railroad.

SECTION 5. That said company are hereby authorized and empowered in addition to the powers and privileges heretofore granted, to construct one or more lateral or branch roads from their main road to the Delaware river, in the county of Philadelphia, with such piers, wharves and other appurtenances as may be necessary and convenient for the deposit and shipment of coal and other articles transported over their road. Additional powers.

SECTION 6. That so much of any act of Assembly, as is altered or supplied by this act is hereby repealed. Repeal

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 366.

## A N A C T

To authorize Henry Garrett and Richard G. Stotesbury, to construct a Trunk to float Lumber in Potter and Clinton Counties.

Wooden trunks  
authorized to be  
constructed

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Garret and Richard G. Stotesbury, be and they are hereby authorized and empowered to construct a wooden trunk or trunks, from the head-waters of Young Woman's creek and its branches, in the county of Potter; thence along the valley of said creek or its branches, in the counties of Potter and Clinton, to the north bank or shore of the West Branch of the Susquehanna river, at or near the mouth of said creek on said river, not exceeding one mile from the mouth of said creek, the said trunk not to exceed three feet in width, except in curvature, where it shall not exceed ten feet, and to contain no more than six inches of water in depth.

May take and use  
water.

SECTION 2. That the parties above named, their heirs or assigns, shall have the right to take from said Young Woman's creek, or its branches, any quantity of water necessary to supply said trunk with water sufficient to float and transport boards or other lumber therein, down the said trunk to the said West Branch of the Susquehanna river: *Provided*, That the taking of said water shall in no wise affect or injure the navigation of said stream or its branches, or any water power erected thereon.

Proviso

May enter upon  
lands.

SECTION 3. That it shall be lawful for the said parties, their heirs and assigns, their agents or servants to enter in and upon, and take such lands in and along the said Young Woman's creek, and its branches, or in the body of the said creek or its branches, and also to take such gravel, stone, earth and timber as may be necessary to lay down and construct said trunk or trunks, and for running and transporting boards and lumber as aforesaid: *Provided*, That before said parties, their heirs or assigns, shall enter upon and take such lands and materials as aforesaid, they shall make ample compensation to the owner or owners thereof, or give adequate security therefor.

Proviso.

Damages.

SECTION 4. That if the said parties and the owners of any such lands or materials, cannot agree upon the compensation to be made, the court of common pleas of the county in which the land lies, on the application of either party, shall appoint three disinterested persons to value and assess the same and make report to the court, subject to the right of appeal, as in cases of awards under the compulsory arbitration law.

Rights of persons  
floating lumber.

SECTION 5. That the owners of land laying adjoining or contiguous to said Young Woman's creek, and its branches, and all other persons desirous to float lumber down said trunk or trunks, to the said West Branch of the Susquehanna river, shall have the right to do so upon such terms per thousand, not exceeding ten cents per thousand feet per mile, and under such rules and regulations as the said above named parties, their heirs and assigns may fix and establish—notice of which terms and regulations



to be published in the newspapers of Potter and Clinton counties, for four weeks prior to the first day of March in each year. Commencement and completion of work.

SECTION 6. That if the said parties shall not commence the construction of the said trunk or trunks within two years, and shall not complete the same within three years from the passage of this act, then all the privileges hereby granted and conferred shall be null and void, and the Legislature reserves the right to alter or amend this grant or repeal the same, if the privileges hereby granted shall be abused.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 367.

## A N A C T

To incorporate the Coudersport and Oswayo Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John S. Mann, William T. Jones, William M'Dougall, Joseph Mann and Sobieski Ross, or any three of them be, and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Coudersport and Oswayo plank road company," with power to construct a plank road from the borough of Coudersport, in Potter county, to the township of Oswayo, and there to intersect the Oswayo and Wellsville plank road; and the said company shall have the power to extend their road down the valley of the Oswayo creek to the town of Ceres, in the county of M'Kean, subject to all the provisions and restrictions of an act regulating plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars each, with power to increase their capital stock to sixteen hundred shares of like amount.

SECTION 3. That said company shall have a right to construct their road upon any of the public roads between the points specified; and if they shall not commence the construction of their road within three years after the passage of this act, and finish the same within five years, then this act to be null and void, ex-



cept so far as it shall be necessary to wind up the affairs of said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 368.

### A SUPPLEMENT

To the act incorporating the Milford and Matamoras Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for the purpose of constructing and equipping the Milford and Matamoras railroad, the said company are hereby authorized to borrow money to an amount not exceeding one hundred thousand dollars, and to issue their bonds therefor, in sums not less than one hundred dollars, at such rates of interest, and on such terms as may be determined by the board of directors of said company; and to secure the payment of said bonds by executing and delivering to such trustee or trustees, as they may select, a mortgage or mortgages of all and any part of their estate real and personal, rights, liberties and franchises of said Milford and Matamoras railroad company.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 369.

## AN ACT

Supplementary to the act incorporating the Susquehanna Railroad Company, passed the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any five miles of the Susquehanna railroad shall have been graded, and a single track laid thereon, it shall be lawful for the said company to put the same in operation, and to charge and receive for the use of the company, on freight and passengers, such rates of toll per mile as is authorized to be levied and collected by the act to which this is supplementary, on completion of the entire road from Bridgeport to Sunbury; and that said act shall not be construed to impose a tax on mineral coal passing over said railroad.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 370.

## AN ACT

For the relief of certain Soldiers and Widows of soldiers of the Revolutionary and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized to pay Thomas Holiday, of Somerset county, a soldier of the Indian war, or his order, forty dollars, as an annuity during his life, commencing on the first day of January, one thousand eight hundred and fifty-four, to be paid semi-annually on the first day of January and first day of July.

SECTION 2. That the State Treasurer be and he is hereby authorized and required to pay to Christian Haldeman, of Lancaster county, an old soldier, a gratuity of forty dollars.

SECTION 3. That the State Treasurer be and he is hereby authorized and directed to pay to Christiana Hummel, of North-

Thomas Holiday.

Christian Haldeman.

Christiana Hummel.

umberland county, the widow of a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter, payable half yearly during the term of her natural life, commencing on the first day of July, Anno Domini, one thousand eight hundred and fifty-four.

Elizabeth Kohne.

SECTION 4. That the State Treasurer be and he is hereby authorized to pay to Elizabeth Kohne, of Berks county, the widow of Michael Kohne, a soldier of the Revolutionary war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars annually thereafter, payable half-yearly, during the term of her natural life, commencing on the first day of July, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 371.

## AN ACT

To legitimate Samuel Shoff.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Shoff, son of John Shoff, of Conestoga township, Lancaster county, and Catharine Gonter, late Catharine Newport, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if he had been born in lawful wedlock.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 372.

## A N A C T

To prevent Streets being laid out through the grounds of the Pennsylvania Hospital, without the consent of the Managers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That no streets, alleys, roads or lanes, shall ever be opened through the property belonging to the corporation of the contributors to the Pennsylvania hospital, situate in the twenty-fourth ward of the city of Philadelphia, without the consent of the said corporation, so long as the said property is used for the purposes of their insane department, any law to the contrary notwithstanding: Provided, That said corporation shall contribute one-half the ground, for an avenue, on their east, one on their west line, each one hundred feet in width, without charge to the city and county of Philadelphia.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 373.

## A FURTHER SUPPLEMENT

To the act incorporating the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pennsylvania railroad company, for the purpose of completing their second track, increasing their motive power, and building suitable houses at Philadelphia, Pittsburg, and along the line of their road, for the reception and accommodation of travelers and the storage of freight, and which they are hereby authorized to erect, shall have power to increase their loans: Provided, The debts and other obligations of the company, including loans, shall not at any time exceed the amount of capital stock paid in and expended on the road and its equipment: Provided further, That the loans contemplated in this act shall not be made,*

## LAWS OF PENNSYLVANIA,

unless with the assent of a majority of the stockholders of said company, represented at a stated or special meeting of the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 374.

## AN ACT

To repeal the Eleventh and Twelfth sections of an act, approved the eighteenth day of April, one thousand eight hundred and fifty-three, relative to Auctioneers in the Borough of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the eleventh and twelfth sections of an act, entitled "An act to incorporate the Methodist Episcopal church in the borough of Millersburg, Dauphin county, and relative to the appointment of auctioneers in the borough of Harrisburg," be and the same are hereby repealed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 375.

## AN ACT

To authorize the Construction of a certain Water-Course in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That L. A. Mackey, William Fearon, junior, John Jones, John Fallo*

Christopher Fallon, Philip M. Price, James D. Whetham, D. K. Jackman and Allison White, their associates or assigns, be and they are hereby authorized and empowered to make and construct for the purposes of transporting lumber and other materials therein, a channel or water-course from the basin of the said L. A. Mackey, William Fearon, junior, and John Jones, to the West Branch of the Susquehanna river, and to take from said basin any quantity of water as may be necessary for such transportation: *Provided*, That where the said channel or water-course shall cross a public highway, it shall be the duty of the said parties, their associates or assigns, to erect a suitable and convenient bridge or bridges over the same: *And provided further*, That where the said channel or water-course shall be constructed through any land not owned or belonging to the said parties or either of them, the said channel or water-course shall not exceed forty feet in width.

Channel or water course authorized to be constructed.

*Proviso.*

*Proviso.*

SECTION 2. That before constructing the said channel or water-course through any lands not owned by the above named parties, or either of them, they shall tender to the owner or owners thereof compensation for any damage he or they may sustain by such construction; but if the said owner or owners of any such lands shall refuse to accept the same, then it shall be the duty of the said parties first above named, to file a bond to secure the said compensation or damage, in the court of common pleas of Clinton county, to be approved by said court, and on application of the owner or owners, or of the said parties, the said court shall appoint three disinterested persons to assess the same, taking into consideration the advantages of said channel or water-course to the balance of his or their land, which said persons so to be appointed by the said court shall be duly sworn or affirmed justly and equitably to assess the said damages, taking into consideration the advantages aforesaid, and they or a majority of them, shall make report thereof in writing in the office of the prothonotary of said county, which shall be entered as awards are now entered under the compulsory arbitration law, and shall have like effect: *Provided*, That either party shall have the right of appeal as in other cases of awards under said law: *Provided*, That the construction of said water-course shall not at any time interrupt, or in any manner injure or obstruct the navigation of the Bald Eagle Crosscut canal, and the same shall be under the control of the Canal Commissioners, who shall at all times have the power to shut off the supply of water, whenever in their opinion the navigation of said Crosscut canal may require it, and any expense attending the same shall be paid by the parties to whom this grant is made.

*Damages.*

*Proviso.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 376.

## A N A C T

Authorizing the Commissioners of Lawrence county to lend certain money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Lawrence county are hereby authorized and empowered to loan, to responsible parties residing in said county, ten thousand dollars at seven per cent. per annum interest, the same to be paid semi-annually, to the treasurer of Lawrence county, on the first days of June and December of each year; for the securing of which moneys, the said commissioners shall take bonds and mortgage, which being duly recorded, shall have the like effect as is provided by law in other cases.

SECTION 2. That the commissioners of Lawrence county are also hereby authorized and required to settle with J. N. M'Guffin, and pay him any amount which may be due for money advanced in procuring the charter for Lawrence county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 377.

## A FURTHER SUPPLEMENT

To the act rechartering the North American Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eight thousand shares of additional stock authorized to be issued by the first section of the supplement to the act rechartering the North American Coal Company, approved the eighth day of March, Anno Domini, one thousand eight hundred and fifty-four, may be sold and disposed of as is therein provided, and the proceeds applied to the purpose of paying, purchasing or extinguishing any obligations of the said corporation, and of erecting and constructing machinery, sinking a shaft or shafts, a slope or slopes or any of them upon the lands of the North

American Coal Company, in Schuylkill county, and the said shares of preferred stock may be exchanged for any obligations of the said corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 378.

A N A C T

Relating to the Centre and Kishacoquillas Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Centre and Kishacoquillas turnpike company be, and they are hereby authorized to sell three miles of the eastern end of their road in Mifflin county, and two and one-half miles of the western end of their said road in Centre county, either to incorporated turnpike companies, or to individuals, on such terms as a majority of the board of managers may consider best, for the interests of the company.

SECTION 2. That the purchasers of said section or sections, shall be bound by all the obligations of the original act of incorporation of said Centre and Kishacoquillas turnpike road company, and shall be entitled to all the rights and immunities as prescribed by said act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 379.

## AN ACT

To extend the Montevue Railroad, and connect the same with the Pittsburgh and Connellsville Railroad, in the county of Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Montevue railroad company incorporated by an act of the State of Maryland, be and the same is hereby authorized to extend their railroad with one or more tracks, from the southern line of Pennsylvania to a point at or near Myers' Mills, in the county of Somerset, and connect the same with the Pittsburgh and Connellsville railroad, at such point as may be mutually agreed upon between the said company and the Pittsburgh and Connellsville railroad company: *Provided,* That the damages which may be done to private property by the construction of the said extension within this Commonwealth, shall be assessed and paid in the manner provided by an act regulating railroad companies, passed the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That it shall be the duty of the president and directors of said company, as soon as the said extension of their road is completed and in use for transportation, to prepare a full and accurate statement of the cost thereof, under the oath or affirmation of the president and secretary of said company, and communicate the same to the Auditor General of this Commonwealth who shall file the statement in his office.

SECTION 3. That the stock of said company to an amount equal to the cost of that portion of their road situated in Pennsylvania, shall be subject to taxation by this Commonwealth, in the same manner and at the same rates as other similar property is subject, and it shall be the duty of the said company to cause their treasurer upon the declaration of any dividend after said portion of the railroad shall have been completed, to retain out of said dividend, and pay into the treasury of this State the tax to which such portion of stock may be liable.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

Extension.

Proviso.

Statement of cost.

Stock subject to taxation.



No. 380.

## A N A C T

To authorize the borough of Franklin, in the county of Venango, to levy additional taxes, and to borrow money for purposes therein expressed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of defraying all charges and expenses, and paying all damages that may be legally assessed and become chargeable under the act of Assembly of this Commonwealth, approved February nineteenth, one thousand eight hundred and forty-nine, regulating railroad companies, against the Venango railroad company, for the right of way through the borough of Franklin, Venango county, Pennsylvania, for the track or tracks of said railroad company, if the payment of said damages for said right of way, shall become necessary; and also for the purpose of purchasing sufficient ground within said borough, upon which to erect a depot, machine shops, and other buildings of said Venango railroad company; the burgess and council of the borough of Franklin, and a majority of the same, are hereby authorized and required to borrow any sum of money not exceeding ten thousand dollars, at a rate of interest not above seven per centum per annum, and to issue bonds for the same, in sums not less than one hundred dollars, as may be convenient; which bonds shall be signed by the burgess of said borough, and the clerk of the said council; and the said burgess and council, and a majority of the same, shall, at any time or times they deem proper, levy and assess an additional tax or taxes to those now authorized by law on the taxable property in said borough, which is or may be taxable for county purposes, and shall be levied upon the last adjusted valuation for county purposes, which shall be fixed by the commissioners; the proceeds of which tax or taxes, shall be applied to the payment of the sum so borrowed, as the same becomes due.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 381.

## AN ACT

Authorizing the Councils of the City of Pittsburgh to open part of Ferguson street, and to close Bell's Alley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any ordinance passed or to be passed by the select and common councils of the city of Pittsburgh, for changing part of the course of Ferguson street, and vacating and opening the same, and any such ordinance for vacating and closing Bell's alley, or any part thereof, is hereby allowed, ratified and confirmed in such manner as to make the opening, changing, vacating and closing aforesaid, legal and valid, and the title to any street or alley so vacated, is hereby confirmed to the Pennsylvania railroad company so long as they are owners of the adjoining property.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 382.

## A SUPPLEMENT

To an act to incorporate the Mount Union Cemetery in Allegheny.

WHEREAS, It has been found necessary for the proper protection of the west side of the cemetery grounds of the Mount Union cemetery, in Allegheny county, for the trustees to purchase a strip of ground adjoining the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of Assembly, passed the fourteenth day of April, Anno Domini, one thousand eight hundred and forty-six, entitled "An act to incorporate the Mount Union cemetery in Allegheny county," be and the same are hereby extended to so much of said purchase as adjoins the western side of the original ten acre lot purchased by said company, as is embraced in the following limits to wit: beginning at the south-west cor-*

ner of said original purchase, and running thence in a south-westerly direction sixty-eight feet; thence at right angles to said line in a north-westerly direction six hundred and twenty-two feet; thence at right angles to said line in a north-easterly direction sixty-eight feet to the line of the ten acre lot originally purchased by said company; and thence by said line south-easterly to the place of beginning.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 383.

## A FURTHER SUPPLEMENT

To the act entitled "An act to amend an act directing the mode of selling unseated lands for taxes," and for other purposes, passed March thirteenth, one thousand eight hundred and fifteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Sullivan, is hereby authorized and directed to make public sales of all unseated lands situated in said county, on the second Monday of June in each year, for arrearages of taxes: *Provided,* That the said sales shall be subject to and in all respects made in accordance with the provisions of the act to which this is a further supplement, and all laws inconsistent herewith are hereby repealed, so far as relates to the county of Sullivan.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 384.

## A N A C T

Authorizing the Commissioners of York county to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of York county be and they are hereby authorized and empowered to sell, at public sale, and convey in fee simple, the lot or lots of ground belonging to the said county of York, on which the old jail now stands, situate on the corner of South George and Queen streets in the borough of York, for such prices, and upon such terms and conditions as the said commissioners may deem most advantageous for the people of said county, and to execute a good and sufficient deed or deeds for the same; and that the purchase money be paid into the treasury of the county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 385.

## A N A C T

To incorporate the Uniontown and Connellsville Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Amzi S. Fuller, Armstrong Hadden, William Bryson, William Jones, George Nickel, John Collins, William R. Turner, and Doctor John Patrick, are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name and style, of the Uniontown and Connellsville plank road company, with power to locate and construct a plank road from Uniontown to Connellsville, in Fayette county, subject to all the provisions and restrictions of an act entitled "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini, one thousand eight

Commissioners.

Style.

Subject to provisions of certain act.

hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with the provisions of this act.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty-five dollars per share : *Provided*, That said company may from time to time at a meeting of the stockholders, called for that purpose increase the capital stock to such an amount as in their opinion may be required for the purposes of said road, according to the true intent and meaning of this act.

Capital stock.  
Proviso.

SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls agreeably to the act aforesaid, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto.

Occupation.

SECTION 4. That if the said company shall build a bridge over the Youghiogheny river, they shall be entitled to erect gates thereon, and charge and receive the same toll as are charged and received by the Robbstown bridge company, at their bridge erected over the Youghiogheny river at West Newton, under an act of the General Assembly, entitled "An act authorizing the Governor to incorporate the Robbstown bridge company," approved the twenty-third day of March, Anno Domini, one thousand eight hundred and thirty-one.

Tolls

SECTION 5. That if said company shall not commence the construction of said road within three years after the passage of this act and complete the same within seven years thereafter, this act shall be null and void except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

Commencement  
and completion of  
road.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 386.

## A SUPPLEMENT

To an act to incorporate the Towanda and Burlington Plank Road Company, and for other purposes, approved April eighth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Towanda and Burlington plank road company, shall have full power and authority to

borrow any sum or sums of money not exceeding ten thousand dollars. which may be necessary to enable them to complete their road, discharge the debts incurred in the construction thereof, and enjoy the full benefit of the privileges conferred upon them by the act of Assembly authorizing their incorporation; any such loan to be on such terms and conditions as the said corporation may deem fit, with power also to pledge and mortgage, as security for any such loan or loans, their road, and all and any of their property real and personal, together with all their rights, powers, privileges and franchises; any sale or sales, under any judicial process, to enforce any such pledge or mortgage, shall pass to and vest in the vendee or vendees, whatever property, rights, powers, privileges and franchises may have been pledged or mortgaged under any such pledge or mortgage as last aforesaid: *Provided*, That no certificate of loan shall be of less denomination than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 387.

## AN ACT

Declaring the Two Mile Run, in Sheffield Township, Warren County, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the stream of water known as the Two Mile run, in Sheffield township, Warren county, be and the same is hereby declared to be a public highway from its mouth, to where it intersects the line of lot, known as subdivision number two hundred and thirty-one, in M'Kean county.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 388.

## AN ACT

To extend the provisions of an act relative to Turnpikes, passed April tenth, one thousand eight hundred and forty-eight, to the Belmont and Easton Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the first and second sections of the supplement to an act entitled "An act authorizing the Governor to incorporate the president, managers and company of the Lackawaxen, Belmont and Oghquago, and Belmont and Easton turnpike road," passed April tenth, one thousand, eight hundred and forty-eight, shall be and they are hereby extended to the president managers, and company of the Belmont and Easton turnpike company.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 389.

## AN ACT

To prevent the destruction of Fish in Poponoming Lake and Lake Creek, in Monroe County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall not be lawful for any person or persons to place any obstructions, racks or baskets in Poponoming Lake or in Lake Creek, from the outlet of Poponoming Lake to the mouth of M'Michaels creek, which may prevent fish from ascending or descending said stream, and any person or persons offending against the provisions of this act shall be liable upon conviction thereof to a fine of not more than twenty dollars, nor less than five dollars to be recovered as debts of like nature are by law recoverable, one half to the use of the*

informer and the other half for the use of the poor of said township.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER,

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No. 390.

### A SUPPLEMENT

To an act to incorporate the Pittsburgh and Steubenville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the Pittsburgh and Steubenville turnpike road company, be and the same are hereby authorized to charge the same rates of toll that they have been heretofore authorized to charge upon their main road, upon a branch of their road commencing near the public house known as Obey's hotel, in Chartiers township, Allegheny county, and running from said main road to the Temperanceville and Noblestown plank road.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 391.

### AN ACT

Extending the Charter of the Lackawanna and Susquehanna Railroad Company

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the completion of the construction of the Lacka-*

wanna railroad, sometimes called the Lackawanna and Susquehanna railroad, shall be and is hereby extended for a period of ten years from the eleventh day of March, Anno Domini one thousand eight hundred and fifty-six: *Provided*, The president, managers and company of the said railroad, shall cause to be commenced within two years, and completed within five years from the passage of this act, a section extending from or near the city of Carbondale, in a southerly direction, to some point where it shall intersect the Delaware, Lackawanna and Western railroad; and when the said section shall be so completed, and a connection formed with the said Delaware, Lackawanna and Western railroad, or the Lackawanna and Bloomsburg railroad, the Lackawanna railroad company shall be released from obligation to extend their road further.

Time of completion of road extended.

Proviso.

SECTION 2. That the said Lackawanna railroad company may borrow money, not exceeding five hundred thousand dollars, at a rate of interest not exceeding seven per cent. per annum, which shall be secured in any way the managers of said company may deem expedient: *Provided*, That no bond or certificate shall be issued, upon any loan made to such company, for a sum less than one hundred dollars.

Authority to borrow money.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 392.

## A N A C T

Authorizing the Governor to incorporate the Huntingdon and M'Alcavy's Fort Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That David Blair, Robert Cummins, Alexander Stewart, John Oaks, Henry Lee, Samuel Steffy, William B. Ziegler, William Cummins, Alexander Port, James Maguire, Robert M'Burney, William B. Smith, Elisha Shoemaker, senior, Robert Johnston, John Jackson, George Jackson, of Jackson township, George Couch, Hezekiah Crownorer, John P. Stewart, Alexander Carmon, Thomas Fisher, David Snare, James Saxton, William Dorris, junior, George Gwin, Thomas Adams, George Jackson, of Huntingdon, and J. Simpson Africa, of Huntingdon county, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company

Commissioners.



Style.	by the name, style and title of the Huntingdon and M'Aleavy's Fort turnpike road company, with power to construct a turnpike road from the borough of Huntingdon to M'Aleavy's Fort, in Jackson township, Huntingdon county, by such route or routes as the stockholders may determine upon, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto: <i>Provided however</i> , That the president and managers of said company may make or cause to be made, any and such part or parts of said road a plank road instead of a turnpike, as in their judgment they may deem expedient, subject to the regulations and restrictions of said acts regulating turnpike and plank road companies.
Subject to the provisions of certain act.	
Proviso.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of eight hundred shares, at twenty-five dollars per share: <i>Provided</i> , That the said company may from time to time, by a vote of the stockholders, at a meeting to be held for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road or roads, and carry out the true intent and meaning of this act.
Proviso.	
Subscription.	SECTION 3. That the burgesses and town council of the borough of Huntingdon, are hereby authorized to subscribe to the capital stock of this company an amount not exceeding five thousand dollars.
Commencement and completion of road	SECTION 4. That if the said company shall not commence the construction of their road within three years after the granting of this charter, and complete the same within ten years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 393.

## AN ACT

To Legitimate George W. Colwell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That George W. Colwell, of Kittanning borough, Armstrong county, and son of Elizabeth M'Kinley, of the same place, shall have*

and enjoy all the rights and privileges of a child born in lawful wedlock, so far as the said Elizabeth M'Kinley is concerned, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, and to all intents and purposes, as if he had been born in lawful wedlock.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 394.

## AN ACT

To incorporate the Weecoe Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward G. Webb, Edward A. Penniman, Alfred Day, Jesse Johnson, Thomas B. Tenn, James W. Fletcher, William D. Cozens, Christopher Kearney, Robert B. Miller, John Lochery and John R. Manderfield, or any five of them, are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Weecoe plank road company," with all the powers, and subject to all the restrictions prescribed by an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as the said act is hereby altered or supplied.

Commissioners.

Style.  
Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of fifty dollars each; and said company may, from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as, in their opinion, may be necessary to complete said road, according to the true intent and meaning of this act.

Capital stock.

SECTION 3. That the said company shall have power and authority to locate and construct a plank road, or a road partly of plank and partly of other material, commencing at some convenient point at or near the junction of the Moyamensing road and Third street, and along Mifflin street, if necessary, to the Greenwich Point road, and along said road to the Delaware river, and along the westerly side of said river to Penrose's ferry; and from thence along the easterly side of the Schuylkill river to Gray's ferry road, or from the place of beginning.

Powers.

along the Moyamensing road, by the most practicable route, to Penrose's ferry, and from thence to Gray's ferry road, as before recited.

May use roads  
and streets.

SECTION 4. That the said company may, if they deem it proper, use any road or street that may be traversed or crossed in the route aforesaid, with the exception of the road known as the Point Breese road, running from Greenwich street to a point of land called Greenwich Island point, which road shall continue as heretofore, free from toll or charge of any kind, the company being permitted to cross said road at any point it may be deemed necessary with their plank road.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 395.

## AN ACT

Repealing certain laws relating to the Borough of New Bedford, Lawrence County,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth section of an act entitled "An act relating to roads and bridges in certain townships in the county of Lawrence," and for other purposes, passed April thirteenth, A. D., one thousand eight hundred and fifty-three, be and the same is hereby repealed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 396.

## A N A C T

Authorizing a State Road from Gettysburg, Adams county, to the Buck Tavern, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That Commissioners. John J. Porter, John Rawlins and Nathaniel Mayers, of Lancaster county; Isaac Koller, Jacob Newman and Joseph O. Steward, of York county, and Francis Krichton, C. W. Hoffman and John C. Ellis, of Adams county, be and they are hereby appointed commissioners to view and lay out a State road from the borough of Gettysburg, in Adams county, by way of Hanover, Shrewsbury and the York furnace bridge, in the county of York, to intersect the State road leading from M'Calls' to Parkesburg, at or near the Buck tavern, in the county of Lancaster. Route.

SECTION 2. That it shall be the duty of the said commissioners or a majority of them, as soon as practicable, having first been sworn or affirmed before some alderman or justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said alderman or justice of the peace, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good and do the least injury to private property; and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors readily to find the same. Commissioners to be sworn.

SECTION 3. That the commissioners shall have authority by this act, to vacate so much of any road or roads as may be supplied by the new road, if it shall appear expedient to do so, and also to lay out any part of the said road on the bed of any road or part of a road heretofore laid out by authority of law, and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvements, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth, on or before the first day of August next, and one copy in the office of the clerk of court of quarter sessions of each of the said counties, on or before said day, and from thenceforth, the road shall be to all intents and purposes a public highway, and shall be opened to the width of forty feet, and shall be repaired in all respects as roads laid out by order of court are repaired, and the damages sustained by the owners of land, if any, shall be assessed and paid as is provided by the act of the thirteenth of June, one thousand eight hundred and thirty-six, relating to roads, highways and bridges; and if the supervisors of any township through which said road shall have been laid out, shall neglect to open the same within one month after the filing of the draft thereof as aforesaid, they shall be liable to a penalty of thirty dollars, to be collected at the suit of any person interested in Authority to vacate. Drafts to be made out and filed.

said road, as debts of a like amount now are collected, which shall be for the use of said road, and they shall also be liable to prosecution for neglect of duty.

-Compensation.

SECTION 4. That the said commissioners shall receive two dollars for every day they shall be necessarily employed in performing the duties enjoined by this act, and William S. Picking is hereby appointed surveyor, at a compensation not exceeding two dollars a day, and said commissioners are hereby authorized to appoint two chain carriers and one axe-man, at a reasonable compensation not exceeding one dollar a day, and their accounts shall be registered by the commissioners, and paid by the treasurers of said counties, in the usual manner, each county bearing an equal portion of the expense, and if any vacancy or vacancies shall happen by resignation or otherwise, the court of quarter sessions of the proper county is hereby authorized to fill such vacancy or vacancies, as often as the same shall occur.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 397.

## AN ACT

Relative to the salaries of Associate Judges in this Commonwealth

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of June next, the salaries of the associate judges of the courts of common pleas of this Commonwealth, excepting in the city and county of Philadelphia, shall be as follows, to wit: for those whose attendance at court does not exceed six weeks per annum, the sum of one hundred and twenty dollars; for those whose attendance at court exceeds six weeks and does not exceed twelve weeks, one hundred and fifty dollars; for those whose attendance exceeds twelve weeks and does not exceed twenty weeks, one hundred and seventy-five dollars; for those whose attendance at court exceeds twenty weeks and does not exceed thirty weeks, two hundred dollars; for those whose attendance exceeds thirty weeks, two hundred and fifty dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 398.

## AN ACT

To amend the charter of the Borough of York, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act entitled "An act for regulating boroughs within this Commonwealth," passed and approved the third day of April, one thousand eight hundred and fifty-one, is hereby made a supplement to the charter of the borough of York, in the county of York, and the said second section and all it embraces, excepting the twentieth, twenty-fourth, twenty-fifth and twenty-sixth articles, shall be from and after the passage of this act a part of the act of incorporation of the borough of York.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 399.

## AN ACT

Authorizing Charles Homet to establish a Ferry on the Susquehanna river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Homet, of Wyalusing township, county of Bradford, his heirs and assigns, shall have the right and privilege, at his own expense, to make good and convenient landings on either side of the Susquehanna river, at or near the mill of the said Charles Homet, in said county, and to use said river between the said landings as a public ferry, and shall receive such tolls for conveying persons, teams, carriages, horses, freight and all animals, as may be prescribed by the court of quarter sessions



of Bradford county : *Provided*, That the navigation of said river shall not be obstructed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 400.

### A N A C T

Extending the first, second, third and fourth sections of an act entitled "An act Taxing Dogs in Chester county, and for other purposes" to the Counties of Clarion, Armstrong and Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the first, second, third and fourth sections of an act, entitled "An act laying a tax on dogs in certain townships, in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county," be and the same is hereby extended to the counties of Clarion, Armstrong and Jefferson: *Provided however*, That the tax on one dog shall only be fifty cents and any additional dog one dollar, and two dollars for each and every bitch so assessed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 401.

## AN ACT

Giving the assent of the Commonwealth of Pennsylvania to an act of the Legislature of New Jersey, entitled "An act to authorize the Easton Gas Company to supply the inhabitants of the village of Phillipsburg, in the county of Warren, with Gas Light," approved March sixteenth, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the assent of this Commonwealth be, and the same is hereby given to the annexed act of the Legislature of New Jersey, approved March sixteenth, Anno Domini, one thousand eight hundred and fifty-four, entitled "An act to authorize the Easton gas company to supply the inhabitants of the village of Phillipsburg, in the county of Warren, with gas light;" and the said act is hereby adopted, ratified and confirmed by this Commonwealth, and shall be annexed to and published with this act.

## STATE OF NEW JERSEY.

AN ACT to authorize the Easton Gas Company to supply the inhabitants of the village of Phillipsburg, in the county of Warren, with Gas-Light.

SECTION 1. *Be it enacted by the Senate and General Assembly of the State of New Jersey,* That the Easton gas company, incorporated by an act of the Legislature of the State of Pennsylvania, approved the fourteenth day of March, one thousand eight hundred and fifty, be and they are hereby authorized to supply with gas-light such inhabitant or inhabitants of the village of Phillipsburg, in the county of Warren, or companies exercising their corporate powers in said village, as may desire a supply of the same, and to enter into and execute contracts, agreements or covenants, in relation to the authority hereby granted; and the said Easton gas company, in all courts of law in this State, shall be deemed and taken to be an existing corporation of this State for the purposes aforesaid, and for the purpose of enforcing the performance of such contracts, agreements and covenants, as shall be made in pursuance of the provisions of this section, and for no other purposes whatever.

Approved March sixteenth, one thousand eight hundred and fifty-four.

## STATE OF NEW JERSEY:

I, Thomas S. Allison, Secretary of State of the State of New Jersey, do hereby certify that the foregoing is a true copy of an act passed by the Legislature of said State, and approved by the Governor March sixteen, one thousand eight hundred and fifty-four, as taken from and compared with the original on file in my office.

## LAWS OF PENNSYLVANIA,

[L. S.] In testimony whereof I have hereunto set my hand, and affixed my seal of office at Trenton, this sixteenth day of March, eighteen hundred and fifty-four.

THOS. S. ALLISON,  
*Secretary of State.*

## STATE OF NEW JERSEY :

I, Rodman M. Price, Governor of the State of New Jersey, do hereby certify that Thomas S. Allison, esquire, who hath signed the preceding certificate, and whose official seal is thereto annexed, is Secretary of State of the State of New Jersey, duly appointed, commissioned and sworn, and that full faith and credit are to be given to his official attestations; that the said signature is in the proper handwriting of the said Thomas S. Allison, and the seal his seal of office, and that the said certificate is in due form of law.

[L. S.] In testimony whereof I have hereunto set my hand, and caused the great seal of the State of New Jersey to be hereunto affixed at the city of Trenton, in said State, this sixteenth day of March, in the year of our Lord, one thousand eight hundred and fifty-four, and of the Independence of the United States the seventy-eighth.

By the Governor.

RODMAN M. PRICE.

THOS. S. ALLISON, *Secretary of State.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 402.

## AN ACT

To authorize the Saint John Street Methodist Episcopal Church, in the City and County of Philadelphia, to sell certain real estate.

WHEREAS, Joel Westcoat of the county of Philadelphia, deceased, by his last will and testament, bearing date the eighteenth day of July, Anno Domini, one thousand eight hundred and thirty-four, duly proved, devised all his real estate to the Saint John street Methodist Episcopal Church, in the city and county of Philadelphia, to hold to them their successors and assigns upon the trust therein set forth :



*And whereas,* The said church is desirous to dispose of the said real estate; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said Saint John street Methodist Episcopal church, to sell to the North Pennsylvania railroad company, all that certain lot of ground with the buildings thereon erected, situate on the west side of Washington avenue, south of Noble street in the district of the Northern Liberties, and county of Philadelphia, with the appurtenances, and upon the receipt of the purchase money to convey the same to the said company, in fee simple and for as good and valid an estate therein as said Joel Westcoat, was seized of and entitled to at the time of his death, free and clear of all trusts declared or provided for in his said will, of or concerning the same or any part thereof, and of all liability on the part of the said company to see to or be responsible for the application of the purchase money: *Provided,* That the said purchase money shall be invested and held by the said church for the same uses, trusts and purposes as are directed and provided for by the said will, of for and concerning the said premises, the purchase money being in every respect substituted for the premises sold: *And also provided,* That before any conveyance shall be executed, security shall be given by the said church, to be approved by the clerk of the orphans' court of the county of Philadelphia, for the faithful application of the proceeds of such sale, and further that before the said conveyance shall be delivered, the said sale shall be approved by the said court.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 403.

## AN ACT

To repeal a portion of an act authorizing the laying out of a State Road from the town of Goldsborough, York county, to Bryson's lime kilns, in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-two, as autho-

rizes the laying out of a State road in York county, except the small eastern portion next the town of Goldsborough, which is already opened and graded, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four. .

WM. BIGLER.

No. 404.

## AN ACT

To vacate a certain street partly in the borough of Schuylkill Haven and partly in the township of North Manheim, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That a certain thirty-three feet wide street known as Hill street, situate partly in the borough of Schuylkill Haven and partly in North Manheim township, Schuylkill county, and running through the Schuylkill Haven Union cemetery and property of Gideon Bast, as formerly laid out by Lippencott and others, be and the same is hereby declared vacated.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 405.

## A N A C T

To authorize the courts of Luzerne county, to appoint viewers to assess damages sustained by Joseph Edwards, in vacating a certain highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same.* That the court of quarter sessions of Luzerne county, are hereby authorized to appoint the usual and legal number of viewers, to assess and report the amount of damages sustained by Joseph Edwards, of Abingdon township, in said county, by reason of vacating a certain public road leading from Abingdon Centre to the Abingdon and Waterford turnpike, as well as the damages he has sustained by the laying out and opening a new road through his premises, not heretofore assessed, which occasioned the vacation of the old road, and damages so assessed when approved and confirmed by the said court, shall be paid by the county as in other cases.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 406.

## A N A C T

Regulating fishing in the Big Sewickly creek and its tributaries in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person to fish with any seines, bush nets or gigs in the waters of the Big Sewickly creek and its tributaries in Westmoreland county, between the first day of May and the first day of April in each year, and that any person violating this law shall upon conviction thereof, forfeit and pay a sum not less than one dollar, nor more than five dollars, recoverable before any justice of the peace or in the court of quarter sessions of said county, one half of the said fine to go to the



## LAWS OF PENNSYLVANIA,

informer and the other half to the directors of the poor of said county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 407.

## AN ACT

To authorize the Canal Commissioners to sell certain Real Estate,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Canal Commissioners be and they are hereby authorized, if they shall deem it expedient, to sell and convey to the North Pennsylvania railroad company, the whole or any portion of the lands belonging to the State, situate on the west side of the Chemung river, opposite the Athens dam, and execute and acknowledge deed or deeds for the same, for a fair consideration, to be paid into the State treasury, and thereafter the title to the said land shall be vested in the North Pennsylvania railroad company.*

SECTION 2. That the Canal Commissioners are also authorized, if they deem it expedient, to sell or lease so much of the lot of ground on the berm bank of the North Branch Canal, at the lock next below the mouth of Fishing creek, in Columbia county, as lies above the garden thereon, and in case of sale, to make a conveyance therefor which shall transfer the title of the Commonwealth, and may be recorded as other deeds: *Provided, That any monies arising from such lease or sale shall be paid into the State treasury.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 408.

## AN ACT

To prohibit the Hunting of Deer, with Dogs, in the county of Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person to hunt deer with dogs in the county of Perry, under a penalty of ten dollars for every such offence; said penalty to be collected as debts of like amount are now collected, one-half to go to the informant, and the other half to the county, for the benefit of the poor: this act shall go into effect upon its passage.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 409.

## A SUPPLEMENT

To the act incorporating the Erie City Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie City Railroad company or the board of directors thereof, are hereby authorized to borrow such sums of money not exceeding in all the sum of five hundred thousand dollars, and to issue therefor the coupon bonds of said company, bearing interest at the rate of seven per centum per annum, payable in such place or places as they may deem expedient, and to sell and dispose of the same on such terms and at such rates as they may deem expedient, and to make the principle of said sums convertible into the stock of said company, at the option of the holders thereof, within three years from the date thereof and to make the principal and interest of said sums payable, at such time or times as the president and directors of said company may deem advisable, and for the security of said loan or loans or any part thereof, said company may execute a deed of trust or mortgage of the railroad and other property of the company in possession,

or to be acquired or may be conveyed to the company for that purpose, and in the event of a sale under such deed of trust or mortgage on the property conveyed in said deed of trust and mortgage and the corporate rights and franchise of the company, shall pass to the purchaser or purchasers free from all incumbrances subsequent to the execution thereof, and to be vested in him or them: *Provided*, That no bonds shall be issued for a less amount than one hundred dollars.

SECTION 2. That the said company shall not have the right to locate or construct their road in going to the harbor of Erie, across or along any of the public streets of the city of Erie, without having first obtained the consent in writing of the councils of said city so to do.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 410.

## AN ACT

For the relief of Sarah Johnson, Elizabeth Miller and Mary Elliott, widows of old soldiers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer be and he is hereby authorized and required to pay to Sarah Johnson, the widow of James Johnson, of Adams county, a soldier of the Revolutionary war, an annuity of forty dollars during the term of her natural life, payable half-yearly, commencing on the first day of July, one thousand eight hundred and fifty-three.

Sarah Johnson.

SECTION 2. That the State Treasurer be and he is hereby authorized to pay Elizabeth Miller, of Butler county, widow of a soldier of the Indian war, or her order, forty dollars, as an annuity during her life, commencing on the first day of January, one thousand eight hundred and fifty-four, to be paid semi-annually on the first day of January, and first day of July.

Elizabeth Miller.

SECTION 3. That the State Treasurer be and he is hereby authorized and directed to pay to Mary Elliott, of Washington county, widow of a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of July, Anno Domini,

Mary Elliott.



one thousand eight hundred and fifty-four, and payable half-yearly thereafter, on the first day of January and July.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 411.

### AN ACT

Authorizing the Newtown Square and Paoli Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Newtown Square and Paoli plank road company, be and they are hereby authorized to borrow any sum of money not exceeding five thousand dollars, bearing an interest of six per centum per annum, for the purpose of completing said road, and issue bonds of indebtedness therefor: *Provided,* No bond shall be issued of a less denomination than one hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 412.

### AN ACT

To establish a Wharf-line in the River Delaware at Bristol borough and township, in the County of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, that there be and is

Wharf line in the river Delaware.

hereby established and laid out a wharf-line in the river Delaware, at Bristol borough and township, in the county of Bucks, (for the purpose of having sufficient depth of water at low tide to float vessels,) beginning at a point in the said river, one hundred feet from low water-mark, at the middle of the mouth of Otter's creek, a corner between the said Bristol borough and the said Bristol township, on a line south thirty-eight and a quarter degrees east from the said middle of the mouth of Otter's creek, in a range with the middle of the said creek; thence up the said river opposite the said Bristol borough, north thirty-three degrees east twenty-three perches, to a point in the said river one hundred feet from low water-mark, on a line at right angles with the line last mentioned; thence north forty-seven degrees east fifty-four and a half perches, to a point in the said river at the end of the wharf at Market street, in the said Bristol borough, in a range with the south-westerly side of the said Market street, about eighty feet from low water-mark, and fourteen perches and three tenths of a perch from the south-easterly side of Radcliff street, on a line with the said south-westerly side of Market street; thence north sixty degrees east ninety-five perches, to a point in the said river, in a range with the north-easterly side of Penn street, about one hundred feet from low water-mark, and fourteen perches and three-tenths of a perch from the said south-easterly side of Radcliff street, on a line with the said north-easterly side of Penn street; thence north sixty-seven degrees east one hundred and eleven perches, to a point in the said river about seventy feet from low water-mark, at the middle of the mouth of Adam's Hollow creek: another corner between the said Bristol borough and the said Bristol township, on a line with the middle of the said Adam's Hollow creek, and twenty-eight perches from the said south-easterly side of Radcliff street, on a line at right angles with the said Radcliff street; thence up the said river opposite the said Bristol township, north sixty-four degrees east twelve perches, to a point in the said river at the southerly corner of the long wharf now occupied by the Buck Mountain coal company, about twenty feet from low water-mark, and thirty and an half perches from a point on the south-easterly side of the turnpike road; five perches along the said south-easterly side of the said turnpike road, from the middle of the said Adam's Hollow creek, on a line south twenty-six degrees east; thence north seventy-two and three-quarter degrees east eighteen perches, to a point in the said river, eighty feet from low water-mark, on a line at right angles with the last mentioned line; and thence north fifty-eight degrees east thirty-three perches, to a point in the said river, one hundred feet from low water-mark, on a line south twenty-five degrees east, in a range with a line of land late of William Laing, deceased.

Wharves or piers at the foot of Mulberry, Walnut and Penn streets.

SECTION 2. And the burgess and council of the said borough of Bristol, are hereby authorized to have wharfs or piers constructed at the foot of Mulberry street, Walnut street and Penn street, in the said borough of Bristol, extending as far out as the wharf-line established and laid out by this act.

Rights of owners of land.

SECTION 3. And it shall be lawful for the owner or owners of any land or real estate fronting on the said river Delaware, within the limits of said line marked and designated by this act, to construct and extend a wharf or pier in front of their land or real estate, to the said wharf-line: *Provided*, That nothing herein contained shall be construed to give authority to any

person or persons, to erect wharfs or piers extending out as far as the said wharf-line so fixed and determined, without license from the board of wardens of the port of Philadelphia.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 413.

# AN ACT

Relative to certain School Districts in Mifflin and Juniata counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the house and lot of James Robison, adjoining the borough of Mifflintown, be hereafter attached to said borough of Mifflintown for school purposes and that the same be subject to taxation for purposes aforesaid as other property in said borough is subject.

Property attached to the borough of Mifflintown.

SECTION 2. That the farm and premises of Jacob Ort in Granville township, Mifflin county, be hereafter attached to the Granville school district, and the several acts by which the said farm was attached to the Lewistown school district, and to pay tax to said Lewistown district are hereby repealed.

Property attached to the Granville school district.

SECTION 3. That the first section of the act passed the third day of April, one thousand eight hundred and fifty-two, erecting by certain bounds therein specified, a separate school district out of part of Oliver township, in the county of Mifflin, entitled "An act relating to certain school districts and for other purposes," be and the same is hereby repealed, so that the school district in that place may remain as it did before the passage of said act.

Repeal.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 414.

## A N A C T

To authorize the North Lebanon Railroad Company to extend their road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the North Lebanon railroad company be and is hereby authorized to extend its road to any iron works erecting, or which may hereafter be erected in North Lebanon township, Lebanon county, subject to the provisions of the act incorporating said company.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 415.

## A N A C T

Relating to Hawkers and Peddlers in the counties of Lehigh, Dauphin, Sullivan, Wyoming and Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, no person or persons shall sell, or expose to sale within the counties of Lehigh, Dauphin, Sullivan, Wyoming and Bucks, as a hawker or pedler, or traveling merchant, any foreign or domestic goods, wares or merchandise, under the penalty of fifty dollars for each and every offence, to be inflicted in the manner provided for in the act of April sixth, one thousand eight hundred and thirty-three, entitled "A supplement to the act regulating auctions in the city of Lancaster, and other towns of this Commonwealth," passed the seventh day of April, one thousand eight hundred and thirty-two: Provided, That the provisions of this act shall not be so construed, as to apply to persons carrying goods for wholesale purposes.*

Auctions regulated in certain counties.

Subject to provisions of certain act.

SECTION 2. That sales at auction in the boroughs, towns and villages of the said counties, shall be regulated in the same manner as is provided in the act, entitled "An act regulating auctions

in the city of Lancaster, and other towns in this Commonwealth," passed the seventh day of April, one thousand eight hundred and thirty-two, and the supplements thereto, passed the sixth day of April, one thousand eight hundred and thirty-three; the auctioneers to be appoined in the same manner, paying the same duties, and liable to the same penalties and regulations mentioned in the said acts, which are hereby extended to the boroughs, towns and villages of the said counties, and to the officers in the said counties, and to the courts thereof, in the same manner as is provided for the officers and courts mentioned in the said acts.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 416.

## AN ACT

In relation to establishing and changing the places for holding general elections throughout the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the petition of one-third of the qualified voters of any election district of this Commonwealth, presented to the court of quarter sessions of the proper city or county for the purpose, it shall be lawful for such court to order an election in such election district upon the question of the location or change of the place of holding the general, special and township elections for such district, subject to all the provisions not inconsistent herewith of the fifty-sixth section of the act of the second of July, Anno Domini, one thousand eight hundred and thirty-nine, entitled "An act relating to the elections of this Commonwealth," and that the elections directed by said section shall be conducted by the officers of the last preceeding general election, who shall conduct the same, in the same manner in which the general elections are by law required to be held and conducted, with the same penalties and punishments for frauds or misconduct in officers, persons offering to vote or others as is prescribed by said act and its supplements, and in case of the absence or inability of any such officer to serve the vacancy or vacancies shall be filled in the same manner described by said acts.

Places for holding  
elections regulated.

SECTION 2. That the courts of quarter sessions shall have authority within their respective counties, to divide any borough ward or township into two or more election districts, to alter

Authority to  
courts of quarter  
sessions.

the bounds of any election district, or to form an election district out of parts of two or more adjoining townships so as to suit the convenience of the inhabitants thereof, and to fix the place of holding elections and appoint the election officers pursuant to the provisions of section second of this act: *Provided*, That no district so formed, shall contain less than one hundred voters, and the proceedings had in the case of such division or alteration shall be the same as in the erection or alteration of the lines of townships.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 417.

### A FURTHER SUPPLEMENT

To an act incorporating the Lebanon Valley Railroad Company. approved April first, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth section of an act, entitled “A further supplement to the act, entitled ‘An act to incorporate the Lebanon Valley railroad company,’ ” approved April fifth, one thousand eight hundred and fifty-three, be and the same is hereby repealed.

Repeal.

Votes.

SECTION 2. That from and after the passage of this act, at all elections of the said company, each stockholder shall be entitled to vote according to the number of shares he or she shall hold, in the following proportions: For every share not exceeding two shares, one vote; for every two shares above two, and not exceeding ten shares, one vote; and for every five shares above ten, one vote; but no share shall confer a right of suffrage, which shall not have been holden three calender months prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and bona fide in his own right, or in that of his wife, or for his or her sole use and benefit, or as executor, administrator, trustee or guardian, or in the right and for the use and benefit of some co-partnership, corporation or society, of which he or she may be a member, and not in trust for, and to the use and benefit of any other person: *Provided*, That no shares held by transfer shall be entitled to vote, unless the same shall have been transferred at least three months before the election; and all votes by proxy, shall be on such terms and conditions, as are prescribed by the act passed on the



twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An act to regulate proxies:" *Provided also*, <sup>Proviso</sup> That no share shall be entitled to vote at any election, or at any general or special meeting of said company, on which any instalment or arrearages may have been due and payable more than thirty days previously to said election or meeting: *And* <sup>Proviso</sup> *provided also*, That the provisions of this section shall not apply to the stock held by the city of Reading, but the said city of Reading shall continue to vote as heretofore.

SECTION 3. That from and after the passage of this act, it <sup>Subscription</sup> shall and may be lawful for any railroad company, whose road shall or may connect with the railroad to be constructed by the Lebanon Valley railroad company, to subscribe to the capital stock of said company, to such an amount, and in such manner, as the directors or managers of such connecting road shall deem expedient.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 418.

## AN ACT

To annul the marriage contract between Ross Cunningham and Helen Vandenburg his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Ross Cunningham and Helen Vandenburg his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, as fully and effectually as if the same had never been joined in marriage.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 419.

## A N A C T

Relative to the Estate of John Haberacker, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Elizabeth Haberacker, widow of John Haberacker; Adam Rightmyer and Hannah Rightmyer, his wife; Louis Diehl and Margaret Diehl, his wife; George Samlin and Sarah Samlin, his wife; John E. Trexler and Valina Trexler, his wife; Henry A. Lantz and Mary M. Lantz, his wife; George Samlin, guardian of John Haberacker, Lewis Haberacker and Henry Haberacker, who are minor children of Frederick Haberacker, deceased; and Henry A. Lantz, guardian of William F. Diehl, Henry C. Diehl and Sarah Ann Diehl, who are minor children of Margaret Diehl, be and they are hereby authorized to apply to the orphan's court of said county of Berks, for the partition, valuation, acceptance and sale of all the real estate of which the said John Haberacker, deceased, died seized, except the house and lot which the said widow has a right to under the will of said John Haberacker, and may elect to live in during her natural life, in the same manner and with like effect as is provided for by law in cases of the estates of intestates, and the decrees of the said court thereon shall be of the same force and validity as decrees in cases of intestates' estates: *Provided*, That if Margaret Diehl shall accept of any part of said real estate, she shall hold the same and receive the rents, issues and profits thereof for and during her natural life, to and for her own sole and separate use, and after her death for her children or heirs, according to the will of the said John Haberacker, and if the said Margaret Diehl does not accept of any part of said real estate, or accepts a part thereof, not equal in value to her full share thereof, then and in that case she shall have the interest of the amount of money to which she is entitled in either case, to and for her sole and separate use for and during her natural life, and after her death said principal sum shall be paid to her children and heirs, according to the provisions of said will, said money in either case to be and remain a lien on said real estate, respectively, until it is fully paid, and when it is paid it shall be invested in real estate security for said purposes, under and according to the directions and order of said court: *And provided further*, That when said real estate shall have been accepted or sold, that said widow shall determine and elect on what part of said real estate a sum shall remain charged sufficiently large to raise for her annually the sum of two hundred dollars to be paid to her semi-annually, and said sum shall remain charged on said part of said real estate for said purposes for and during her natural life, and at and immediately after her death, said

principal sum shall be paid to the said heirs of the said John Haberaeker, according to the provisions of his said will.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 420.

A N A C T

Relative to the assessment of taxes in the county of Delaware.

WHEREAS, Manifest injustice is suffered by many of the citizens of the township of Middletown, in the county of Delaware, in consequence of the present law requiring assessment of real estate where township lines divide property, to be made in the township where the mansion is located thereby depriving said township of the school and road taxes on lands lying therein; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the assessors of said township, in the county of Delaware, shall return all real estate that is situate therein to the county Commissioners, and that the same be liable to taxation for school or road purposes.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 421.

## A SUPPLEMENT

To the act incorporating the Schuylkill Valley Navigation and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and managers of the Schuylkill Valley navigation and railroad company to increase their capital stock, from time to time, as they may deem expedient: *Provided,* That not more than five thousand shares, in the whole of additional stock, shall be created under the provisions of this act: *And provided further,* That no additional stock shall be created under the provisions of this act, unless the said company, at an annual, general or other lawful meeting, shall authorize the issue thereof; nor shall a certificate for any share of such additional stock be issued, until the sum of fifty dollars for same shall have been actually paid to the treasurer of said company, in such instalments as shall have been directed by the president and managers thereof.

SECTION 2. That said company may construct lateral branches to any of the collieries within five miles of their main road, under the provisions of the several laws applicable to the construction of said main road, and may charge a rate of toll for all coal and other commodities transported over the said branch railroads, not exceeding the rates said company is now authorized to charge upon their branch railroads already constructed: *Provided,* That nothing herein contained, shall authorize the said company to construct a branch railroad from Port Carbon, by way of Mill creek, to the town of Saint Clair.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 422.

## A SUPPLEMENT

To an act entitled "An act to incorporate in the township of Lower St. Clair, in Allegheny county a borough to be called South Pittsburgh."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, instead of four councilmen as provided for in section second of above mentioned act, there shall be six, and they shall be elected as by the provisions of said act two to serve one year, two to serve two years and two to serve three years, and thereafter two councilmen annually, that the town council of the borough of South Pittsburgh, in the county of Allegheny, when they shall consider that the opening of any new street, lane or alley within the said borough or that an increase of width of any street, lane or alley already laid out and opened is necessary for the use and convenience of the public, shall have power and they are hereby authorized thereupon to direct and determine the location and limits of such street, lane or alley or the increase of width necessary in any case as aforesaid, and a plan or specification of such location or determination of increase of width shall be made and deposited in the office of the recording regulator of the said borough for public examination and inspection, whereof notice shall be given in at least two newspapers published in the county of Allegheny, and any owner or owners of ground lying on the line of such street, lane or alley who shall consider that he, she or they shall suffer damage from the opening or widening of the same, may apply by petition to the next court of quarter sessions of the county of Allegheny, by whom such orders and appointments shall be made, and the same proceedings in every respect shall be had for the view, appraisement of damages the report thereof and confirmation of the same as are directed by the provisions of the general road laws of this Commonwealth, and the said council so soon as they shall have caused payment of damages assessed to be made to persons entitled to receive the same according to the report of the viewers returned to the said court and confirmed by the same, may proceed to cause such street, lane or alley to be opened forthwith, and the same shall forever thereafter be taken and allowed to be a public highway for the same uses and purposes as the other streets, lanes or alleys within the said borough: *Provided nevertheless,* That if the damages ascertained in the manner aforesaid, shall not have been paid within one year from the time of the confirmation of the report of the same, then the proceedings had in pursuance of the provisions of this section shall be held thereafter null and void.

Six councilmen to be elected.

Proviso.

SECTION 2. That the viewers appointed under the foregoing section shall enquire what damages the owner or owners of lands, houses or other property may sustain, by reason of the opening or widening of any street or streets, alley or alleys in the borough aforesaid, taking into consideration the advantages that may accrue to any person petitioning for damages, and the

Damages.

said viewers shall further proceed to ascertain as far as possible the names of all the owners of lots or parts of lots, who may receive any benefit or increase of value to their property, adjacent to said street or alley, and shall assess on such lot or lots or parts of lots an amount which the said viewers shall think the said lot or lots or piece of lot shall be benefited by the opening or widening of such street or streets, lanes or alleys, and in case the total sum of damages to be paid to all persons in consequence of the opening or widening of any street, lane or alley as aforesaid, shall exceed the total assessments to be paid by those benefited by the opening or widening of any street, lane or alley as aforesaid, the excess shall be paid by the borough of South Pittsburgh, the whole proceedings shall be subject to the approval of the court as in other cases of road damages.

Account of damages to be returned to court.

SECTION 3 That the said viewers having made such assessment and apportionment of damages, which when returned into said court shall be approved by said court, and shall be entered and recorded at large upon the docket of said court, which thereupon shall bind and conclude all parties owning or claiming to own the property affected by this act or the proceedings under it and the sum therein specified to be payable, shall be and remain a lien upon each lot, or parts of lots, to the extent of the assessment, and charge thereon until duly satisfied and paid by said owner or owners.

Damages may be discharged.

SECTION 4. That the amount of damages thus assessed and remaining a lien upon said lots, may at any time be discharged by the owner or owners paying the amount thereof into the treasury of the borough of South Pittsburgh, for the use of the persons entitled thereto, and unless paid within one year after said confirmation by court as aforesaid, the lot or parcel of ground may be levied upon and sold under a writ of *levari facias*, issued in the name of the burgess and town council of the borough of South Pittsburgh, at the instance of any person interested and the moneys so assessed and paid into the borough treasury shall be paid over to the person entitled thereto or their legal representatives.

Regulations.

SECTION 5. That the said town council shall be empowered to make all needful regulations respecting markets and market days, the hawking and peddling of market produce and other articles in the borough, and for the inspection and measurement or weight of cord-wood, hay, coal and other articles sold or offered for sale in the borough.

Regulation of scales, weights and measures.

SECTION 6. To regulate annually the scales, weights, and measures within the borough according to the standard existing laws of the Commonwealth.

Obstructions.

SECTION 7. To prohibit and remove any obstructions in the highways of the borough, and any nuisance or offensive matter whether in the highways or in public or private grounds, and to require the removal of the same by the owner or occupier of such grounds, in default of which the corporation may cause the same to be done and collect the costs thereof, with twenty per centum advance thereon in the manner provided for the costs of payments made by the corporation.

Noxious or offensive manufactures.

SECTION 8. To prohibit within the borough the carrying on of any manufacture, art or trade or business which may be noxious or offensive to the inhabitants, the manufacture, sale or exposure of fire-works or other inflammable or dangerous articles, and to limit and prescribe the quantities that may be kept in one



place of gunpowder, fire-works, turpentine and other inflammable articles, and prescribe such other safeguards as may be necessary.

SECTION 9. To make such regulations relative to accumulation of manure and compost, and the like in barns, stables, yards and other places, and to prohibit the keeping of hogs within the borough or within such limits within the same as they may prescribe. Accumulation of manure.

SECTION 10. To make regulations relative to the cause and management of fires, and within such limits within the borough as they may deem proper to prescribe, and to authorize the borough authorities to appropriate money for the purchase of fire engines, for the use of said borough to and for fire companies. Management of fires.

SECTION 11. To establish a nightly watch to light the streets, to provide a supply of water for the use of the inhabitants, to make all needful regulations for the protection of the pipes, lamps, reservoirs and other constructions or apparatus, and to prevent the waste of water so supplied. Nightly watch.

SECTION 12. To impose fines and penalties incurring partial or total forfeitures to remit the same; to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers, or by the justice of the peace within the borough: *Provided*, That no person shall be confined in such lock-up house for a longer period than forty-eight hours at any one time, and that the fees shall be the same as are now by law authorized to be charged by the aldermen of Pittsburgh. Fines and penalties.

SECTION 13. To appoint and remove such officers, prescribe their duties and allow them such compensation as they may deem necessary to secure the peace, order and well being of the inhabitants, and to enforce the ordinances and regulations of the borough. Removal of officers.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. McCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 423.

## AN ACT

Authorizing the Town Council of the Borough of White Haven to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of an act, entitled "An act authorizing the borough of Tamaqua to construct water works, to borrow money, and for other purposes," approved the second day of April, Anno Dom-*

ini, one thousand eight hundred and fifty, as is contained in the first, second, third and fourth sections of the said act, be and the same is hereby extended to the borough of White Haven: *Provided*, That nothing in this act shall be so construed, as to allow the town council of said borough of White Haven to borrow a greater sum than ten thousand dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 424.

## A N A C T

Relative to Mechanics' Liens in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several provisions of an act, entitled "An act relating to the lien of mechanics' and others upon buildings," approved the sixteenth day of June, one thousand eight hundred and thirty-six, and the several supplements thereto, are hereby extended to the improvements, machinery and fixtures erected by tenants of coal lease estates, on lands of others, in the county of Schuylkill, and to all mechanics and material men doing work and furnishing materials therefor: Provided, That the lien hereby created, shall extend only to the interest of the tenant therein.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 425.

## A N A C T

Relative to Bounties on Fox scalps in the counties of Schuylkill and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all laws of this Commonwealth now in force, authorizing the payment out of the county treasury of premiums or bounties upon fox scalps, be and the same are hereby repealed, so far as relates to the counties of Schuylkill and Greene.

E. B CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 426.

## A S U P P L E M E N T

To an act entitled "An act to authorize a State Road from New Brighton, Beaver county, to the city of Allegheny, Allegheny county," passed third April. Anno Domini, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the viewers named in the original act of one thousand eight hundred and fifty-one, be and the same are hereby authorized and required to review and re-locate that part of said road through the lands of Andrew Pudder and Marshall Ford, if in their opinion a better route can be obtained for said road.

SECTION 2. That so much of the said road originally laid out, located and confirmed under said act, but which may have been reviewed and vacated by virtue of a supplemental act approved twentieth April, A. D., one thousand eight hundred and fifty-three, from a point number one hundred and nine, on the farm of George Cruse, to a point at a post on the farm of Doctor Joseph Linenbrink, in Beaver county, be and the same is hereby restored and legalized as opened originally, and any change, alteration, vacation or re-location is hereby declared void, and the said supplemental act entitled "An act authorizing school directors to administer oaths, and laying out a State road in Beaver



county, and for other purposes," approved as aforesaid twentieth April, A. D., one thousand eight hundred and fifty-three, is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 427.

## AN ACT

Extending the provisions of an act to Protect Fruit, and Punish Trespass, in certain counties, to the counties of York, Bedford, Adams and Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions contained in the first, second and fifth sections of an act, entitled "An act to protect fruit, and punish trespass, in certain counties in this Commonwealth," approved the thirteenth day of April, Anno Domini, one thousand eight hundred and fifty-three, be and the same is hereby extended to the counties of York, Bedford, Adams and Franklin, to have the same force and effect therein, as if said counties had been named in the said recited act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 428.

## A SUPPLEMENT.

To an act to incorporate the Farmers' Union Insurance Company of Pennsylvania; legitimating Clara Jane Brock, approved the thirteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the powers and privileges now enjoyed by said company, the capital stock mentioned in the sixteenth section of said act may be used and employed, and the said corporation shall have full power and authority, in this department, to make insurance upon dwelling houses, stores, and all kinds of buildings, and upon household furniture and other property, against loss or damage by fire.

SECTION 2. That said company may cause themselves at any time or times, to be wholly or partially re-insured as to any risks, and to invest their funds in loans, stocks, bills, notes or otherwise.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 429.

## AN ACT

To authorize the Commissioners and Inhabitants of the District of Kensington to lay down and open a certain street.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the commissioners and inhabitants of the district of Kensington to lay down, upon the plan of the district, and open for public use a street thirty-nine feet six inches in width, from the south-western side of Harrison street, to the northern side of Columbia street in said district, beginning at the distance of one hundred and seventy-three feet seven inches north-westward from the south-western corner of said Harrison street and Frankford road, and extending thence parallel with said

Frankford road to said Columbia street : *Provided*, The opening of said street shall be, and prove no expense for damages to the county of Philadelphia.

E. B. CHASE,  
*Speaker of the House of Representatives*—  
 M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 430.

## AN ACT

To incorporate the Alder Run Plank Road Company, in Morris Township, Clearfield county.

- Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James Allport, Edward Perks, George Johnston, Edmund M. Jones, Martin V. B. French, John Cook, Jacob Wilhelm, Thos. G. Snyder, Levi Luts, Francis Corodriet, J. P. Nelson and Robert Crane, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style and title of the Alder Run plank road company, with power to construct a plank road commencing at the Snow Shoe and Packerville turnpike, at or near where Alder run crosses said turnpike in Morris township, Clearfield county ; thence by the nearest and best route to the mouth of said Alder run, in Morris township, county afore-
- Style. said, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements.
- Subject to provisions of certain act. SECTION 2. That the capital stock of said company shall consist of five hundred shares of twenty-five dollars each : *Provided*, That said company may from time to time by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.
- Capital stock. SECTION 3. That if said company shall not commence the construction of their road with three years after the granting of this charter, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to settle up and pay the debts of said company.
- Proviso. SECTION 4. That whenever said company shall be authorized to erect toll gates and collect toll for travel on said road, under the existing laws of this Commonwealth, the said company shall
- Commencement and completion of road.
- Tolls.



have the power to regulate the assessment of tolls on said road in proportion to the amount of lading or freight passing over the same, instead of assessing the toll upon the number of horses attached to the burthen: *Provided*, That the tolls shall Proviso. in no case exceed the following rates for every five miles traveled on said road, and so in proportion for any lesser distance, or any greater or lesser quantity of lading, to wit: For every thousand feet of manufactured lumber, thirty-five cents; for every thousand feet of lumber in the log, board measure, twenty cents; for every thousand shingles, twenty-five cents; for every thousand barrel staves, twenty-five cents; for every thousand hogshead staves, forty cents; for every thousand barrel hoop poles, thirty cents; for every thousand hogshead hoop poles, fifty cents; for every hundred cubic feet of square timber, twenty-five cents; for every ton of stone coal, twelve cents; for every ton of iron ore, ten cents. Vacancies

SECTION 5. That the president and managers of the said company shall have full power to fill all vacancies occurring in said board by death or resignation, until the next succeeding annual election.

Power to borrow money.

SECTION 6. That in the event of any delay or inability of the said company to obtain the subscription of additional stock, for the purpose of completing their road, it shall be lawful for said company to borrow any sum or sums of money in lieu thereof, not exceeding five thousand dollars, at any rate of interest not exceeding six per centum per annum, and for security therefor to pledge the tolls receivable on said road, as may be agreed upon by the president and managers of said company and the person or persons lending or advancing such money, and to issue bonds therefor in any sums not less than one hundred dollars. Bonds.

SECTION 7. That the said bonds may be converted into the stock of the company at par, at the option of the holder or holders thereof, at any time prior to the bonds falling due.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 431.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Kensington Mutual Fire and Marine Insurance Company," approved February twenty-seventh, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of an act, entitled "An act to incorporate the*

Kensington mutual fire and marine insurance company," approved February twenty-seventh, Anno Domini, one thousand eight hundred and fifty-four, is hereby modified, so that the capital stock of said company shall be divided into five thousand shares of twenty dollars each; which said capital may hereafter be increased by the directors of said company, not exceeding fifteen thousand shares at twenty dollars each.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 432.

## AN ACT

To incorporate the Doylestown and New Britian Plank Road Company.

Commissioners.

Style.

Subject to the provisions of certain act.

Capital stock.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaiah James, Franklin Hallowel, William Gottshalk, Levi S. Clossar, Walter Patterson, Samuel Green, Charles H. Mann, John Clemens and George E. Donaldson, or a majority of them are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Doylestown and New Britian plank road company," with power to construct a plank road from Main street, in the borough of Doylestown, in the county of Bucks, to the house formerly known as Stephens' tavern, on the Upper State road in the township of Doylestown in said county, passing over, along and upon the bed of said Upper State road, subject to all the provisions and restrictions of an act regulating township and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, except that portion of the eleventh section which reads "if a plank road, the same shall be opened of any width not exceeding forty feet," shall apply to this company, than of any width not exceeding fifty feet.

SECTION 2. That the capital stock of said company shall consist of three hundred shares of twenty-five dollars per share: *Provided,* That the said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as may, in their opinion, be necessary to complete the road, and to carry out the true intent and meaning of this act.

SECTION 3. That the provisions of the twelfth section of the act recited in the first section hereof, shall apply to the road hereby authorized to be constructed, when any one mile thereof shall be completed, instead of five miles as in said section provided.

Construction of certain section.

SECTION 4. That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within five years thereafter, this act shall become null and void, except so far as to close and adjust the affairs of said company, and pay the debts of the same.

Commencement and completion of road.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 433.

## AN ACT

To incorporate the Mohulbuctitum and Sugar Creek Turnpike and Plank Road Company, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Orr, Jeremiah Bonner, S. D. Dudley, Philip Templeton and Joseph Buffington, of the county of Armstrong; William F. Johnston, F. R. Burnot, William Philips and W. Milner Roberts, of the county of Allegheny, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mohulbuctitum and Sugar Creek turnpike and plank road company, with power to construct a turnpike or plank road from Sugar Creek, in the township of Brady's Bend, to a point at or near the mouth of Mahoning, in the township of Madison or Pine, in the county of Armstrong, Pennsylvania, with all the powers, privileges and rights, and subject to all the provisions and restrictions given, granted, confirmed and contained in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the various supplements and laws relating thereto, except as hereinafter mentioned.

Commissioners

Style.

Subject to the provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, at twenty-five dollars each.

Capital stock.

SECTION 3. That the time for commencing said work shall be within three years from the organization of said company, and that the same shall be completed in five years after such commencement of the work.

Commencement and completion of road.



Interest on stock. SECTION 4. That said company shall have authority by resolution of the board of managers, to allow interest on stock subscribed and paid in, and to charge the same to cost of construction, to borrow money, to execute a mortgage of all their estate and franchises for the payment of the same, on such terms in relation to time and interest as may be agreed upon by the parties: *Provided*, No such mortgage shall be executed until twenty-five thousand dollars shall have been expended on the work: *And further provided*, That no bond shall be in a sum less than one hundred dollars.

Subscriptions. SECTION 5. That all incorporated companies shall have authority to subscribe to the stock of said company, as fully as individuals may do; said corporations to be represented at elections and other meetings of the stockholders of said company, by such agents as they may appoint under their corporate seal.

Bridge to be erected. SECTION 6. That said company shall have authority to erect a bridge over the Allegheny river, at such point as said company may deem advisable, and in the event of erecting such bridge said company shall be entitled to all the rights, privileges and immunities, and subject to all the provisions and restrictions contained in the sections of an act amongst other things incorporating the Kittanning bridge company, said act being entitled "An act authorizing the Governor to incorporate the Mahoning, Kittanning and Freeport turnpike road company and for other purposes," approved the second day of April, one thousand eight hundred and thirty-eight, and any supplements to said law so far as said Kittanning bridge company are concerned.

Tolls. SECTION 7. That said company shall have the right to charge and take tolls so soon as the same is finished, whether any part of their road is completed or not, and the failure to construct any part of said road shall not interfere with the said company rights in said bridge.

Power to sell privileges. SECTION 8. The said company are hereby empowered to sell to any other corporation, created by act of Assembly of this Commonwealth, their turnpike, plank road and bridges, as also all their rights and franchises of whatsoever kind hereby granted.

Damages. SECTION 9. The damages which may have been assessed and paid by the corporation, hereby created to the owners of lands over and through which said turnpike and plank road may pass, shall be taken into computation in any future assessment that may arise by the change of corporation, and shall be deducted from the amount which may be awarded to the owner of said land to be paid by said purchasing corporation.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 434.

## AN ACT

To enable Joint Tenants, Tenants in Common, and adjoining owners of Mineral Lands in this Commonwealth, to manage and develop the same

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at any time hereafter when any five or more persons, who may be joint owners, tenants in common, or joint tenants of mineral lands within this Commonwealth, may desire to form a company, under the provisions of this act, for the purpose of developing and improving such mineral lands, it shall be lawful for any company formed under the provisions of this act, to construct railroads in and upon their lands; also to erect dwelling houses and other necessary buildings; also all necessary machinery for raising, moving and preparing all minerals, found in their lands, for market, and all other improvements necessary to prepare their lands for leasing: *Provided,* That before proceeding with any improvement, they shall sign and acknowledge, before some officer competent to take acknowledgement of deeds, a certificate in writing, in which shall be stated the corporate name of said company, and the object for which it has been formed; a description of the lands, where located, and the number of acres; the number of shares into which said land has been divided; the residence of the owners, and the number of shares owned by each; the name of the county in which the chief operations of the company are to be carried on, and the number and names of the directors who shall manage the affairs of said company until the next annual election; which certificate shall be submitted to, and be examined by the Attorney General of the Commonwealth, and by him certified to be properly drawn and signed, and that the same is in conformity with the constitution and laws of this Commonwealth; for which service, the persons applying for such corporation shall pay him five dollars: and when the said certificate shall be so certified by the Attorney General, the same shall be recorded in the office for recording of deeds, in the county in which the business of the company is to be carried on as aforesaid, in a suitable book to be kept for that purpose; and a copy of said certificate, duly certified by the Recorder of said county, shall be filed in the office of the Secretary of the Commonwealth; and the said Secretary, upon the receipt of such certified copy, shall enter thereon, and upon the original certificate to be retained by the company, the day and date of the filing of the same; and shall, moreover, cause a true copy of such certificate to be recorded at length in a suitable book to be kept in his office for that purpose, for which he shall receive the sum of five dollars: *Provided,* That none of the provisions of this act shall extend to, or embrace the counties of Schuylkill, Northampton, Lehigh and York.

Joint tenants &c.,  
may form companies.

Proviso.

Proviso.

SECTION 2. That when the certificate shall have been recorded and filed as aforesaid, the persons who shall have signed and acknowledged the same, and their successors, shall for the term

Corporation.



Privileges.

Proviso.

Proviso.

Land to be a  
common stock.Stockholders to  
elect five direc-  
tors.

Proviso.

Liability.

Proviso.

agreed upon, not exceeding twenty years from the filing of such certificate in the office of the Secretary of the Commonwealth as aforesaid, be a body corporate and politic, in fact and in law, by the name stated in such certificate, and by that name have succession, and be capable of suing and being sued, and shall, by their corporate name, be capable in law of holding and conveying the real estate described in said certificate, and such personal estate as may be necessary or convenient to carry on the business or operations named in such certificate: *Provided*, That the quantity of land to be held by such company, shall not exceed three thousand acres: *And provided also*, That the said company shall not engage, in any manner, in the business of mining, selling, or conveying to market the minerals on or in its lands.

SECTION 3. That the land to be held by the company shall form a common stock, and shall be divided into shares of the value of fifty dollars each, and apportioned by the said company among the owners and subscribers to said stock, according to their respective interests, for which certificates of stock shall be issued, and be assignable and transferrable in such a way and subject to such conditions as the said company may from time to time prescribe, and the said shares of stock so created shall be, for all legal purposes whatsoever, deemed and treated as personal estate.

SECTION 4. That the stockholders shall annually elect five directors for the management of the affairs of the company, at such time and place and upon such notice as may be fixed by the by-laws of the company, to serve for one year and until others are elected, and the company shall not be dissolved by reason of a failure to elect such directors at the proper time and place: The election shall be conducted by ballot, and such of the stockholders of the company as shall attend for that purpose, shall be entitled in person or by proxy to one vote for each share of stock held by him or them: And the directors shall elect one of their number president of the board, and shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and management and transacting the business of the company, declare and provide for the payment of the dividends to the stockholders, and in general to superintend the business and affairs of the company: *Provided*, Such by-laws shall not be repugnant to any of the laws of this Commonwealth or of the United States.

SECTION 5. That the stockholders in any company formed in pursuance of the provisions of this act, shall be jointly and severally liable in their individual capacities, for all debts contracted by them for work and labor done or materials furnished for the opening, improving and preparing their said lands for mining purposes aforesaid: *Provided however*, That said companies may provide against contracting any such debts as aforesaid, by the adoption of a by-law requiring all payments for the purposes aforesaid to be cash, and in any such case if any officer, agent or employee of any such company, shall contract any debt for the purposes aforesaid in violation of any such by-law, such officer, agent or employee shall be deemed guilty of a misdemeanor, and upon conviction thereof in the court of quarter sessions of the peace of the county where such debt shall have been contracted, he she or they shall be sentenced to pay a fine not less than the debt so contracted nor more than double the



same, and to undergo an imprisonment in the proper jail of such county not exceeding twelve months.

SECTION 6. That the companies organized under the provisions of this act shall pay into the State treasury for the use of the Commonwealth, in four equal annual payments, commencing one year after the filing of the certificate of organization, a tax of one-half of one per centum on their capital stock, and at the same rate upon any subsequent increase thereof. Tax to be paid to Commonwealth.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 435.

### A N A C T

For the relief of the estate of William Bingham, deceased.

WHEREAS, William Bingham was in his life time lawfully seized in his demesne as of fee of and in divers lands within the Commonwealth of Pennsylvania, and by his last will and testament, dated the thirtieth day of January, in the year of our Lord, one thousand eight hundred and four, (since his decease duly proved and registered at Philadelphia,) did devise and bequeath the same, *inter alia*, to certain trustees therein named, to stand seized and possessed of two equal five parts thereof in trust for his son William Bingham, and of the three other equal five parts in trust for his daughters Ann Baring, wife of Alexander Baring, and Maria Matilda Baring, wife of Henry Baring, as tenants in common, and in case of the death, refusal or inability to act of any of the said trustees, did authorize the surviving trustees or trustee to appoint a trustee or trustees, to fill the place or places thus made vacant:

*And whereas*, The said William Bingham, son of said testator, did by deed dated the thirty-first day of December, in the year of our Lord, one thousand eight hundred and twenty-one, recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book I. H., number three, page one, on the first day of January, Anno Domini, one thousand eight hundred and twenty-two, convey all his interest in the said trust estate, being two-fifths thereof, to Thomas M. Willing and Alexander Baring, upon the trusts created in said deed, which said two-fifths by the decease of the said Thomas M. Willing and Alexander Baring, and by sundry conveyances since made by the surviving trustees with the approbation of the said William Bingham, have become vested in Richard Willing and Francis Baring, in trust for the said William Bingham.

*And whereas,* The said Ann Baring and Maria Matilda Baring have recently departed this life, and the residue, being the three other fifths thereof of the trust estate under the will of their said father, thereupon become vested in their heirs and legal representatives, who, by deed dated the eighteenth day of July, in the year of our Lord, one thousand eight hundred and fifty-three, recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book I. H., number one hundred and fourteen, page one hundred and forty-six, on the twenty-second day of October, Anno Domini, one thousand eight hundred and fifty-three, conveyed the same to Joseph Reed Ingersoll and John Craig Miller, of the city of Philadelphia, upon the trusts and for the uses and purposes in said deed set forth, of and concerning the same: Now for the purpose of relieving the said trustees and purchasers under them, from the necessity of repeatedly establishing by parole evidence the pedigree, marriages, deaths, bequests, et cetera, of many persons resident in foreign countries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title to two undivided fifths of all the estate, real and personal, remaining unconveyed and undisposed of formerly of William Bingham, deceased, within this Commonwealth, shall be taken to have vested in Richard Willing and Francis Baring, in trust for William Bingham, son of said William Bingham, deceased, upon the trusts and conditions declared in his deed to Thomas M. Willing and Alexander Baring, dated the thirty-first day of December, in the year of our Lord, one thousand eight hundred and twenty-one, and recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book I. H., number three, page one, on the first day of January, Anno Domini, one thousand eight hundred and twenty-two, and that the title to the three other fifths of said estate, real and personal, remaining unconveyed and undisposed of, shall be taken to have vested in Joseph Reed Ingersoll and John Craig Miller, upon the trusts created in the deed of William Bingham Baring and others, heirs and legal representatives of Ann Baring and Maria Matilda Baring, daughters of William Bingham, deceased, dated the eighteenth day of July, in the year of our Lord, one thousand eight hundred and fifty-three, and recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book I. H., number one hundred and fourteen, page one hundred and forty-six, on the twenty-second day of October, in the year last mentioned, and that the said deeds of conveyance shall be received for all purposes of evidence and conveyance, in like manner and to the like effect as if they had been made and delivered by the said William Bingham in his life time.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 436.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to incorporate the village of Providence, in the county of Luzerne, into a Borough," approved the fourteenth day of March, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the third day of April, Anno Domini, one thousand eight hundred and fifty-one, entitled "An act regulating boroughs," is hereby extended to the borough of Providence, Luzerne county, and that so much of the original charter of said borough, and the several supplements thereto, as are inconsistent or in conflict herewith, are hereby repealed: *Provided,* That the tenth and eleventh sections of an act approved the nineteenth day of March, Anno Domini, one thousand eight hundred and fifty-three, entitled "An act to incorporate the Odd Fellows' Hall association of Elizabethtown, in Allegheny county; relating to the borough of Providence, in Luzerne county, et cetera," and the fifth section of an act approved the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-three, entitled "An act to incorporate the York cemetery company; relating to the borough of Providence, in Luzerne county," are declared to be and remain in full force.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 437.

## A SUPPLEMENT

To an act authorizing School Directors to administer oaths, et cetera, approved the twentieth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Simeon Wright, M. F. Campbell, of Union, and J. H. Dill, of Cass township, in the county of Huntingdon, be and they are Commissioners.



hereby appointed commissioners, and are authorized to alter and change so much of the location of a State road laid out through said township, as will be embraced from Calvin, northward to where said location intersects the present township road.

Power to alter location.

SECTION 2. That said commissioners be and they are hereby authorized to alter the location of said State road, from the farm of Levi Wright, to any point on the south side of the Juniata river, from the mouth of Montgomery's Hollow : *Provided*, That no change shall be made increasing the grade of the present location : *Provided further*, That unless a voluntary subscription to the amount of twelve hundred dollars shall first have been made, and the payment thereof secured to the supervisors of Union township, to aid in the construction of said road through said township of Union, then that part of the act to which this supplement relates, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 438.

## A SUPPLEMENT

To the act incorporating the Providence and Abington Turnpike and Plank Road Company, approved April eleventh, Anno Domini, one thousand eight hundred and fifty-three.

Construction of road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company are hereby authorized to construct their road so that it shall not in its progress raise or fall from a horizontal line, as to form any angle of more than five degrees.

Powers of viewer.

SECTION 2. That the person who may be appointed by the Governor under the twelfth section of the act of Assembly, entitled "An act regulating turnpike and plank road companies," approved twenty-sixth of January, Anno Domini, one thousand eight hundred and forty-nine, in addition to the duties therein enjoined upon them, shall have the same power to view and vacate such part of the Philadelphia and Great Bend turnpike, (abandoned) and any other laid out public road (opened or unopened) that may be supplied by the said turnpike and plank road and vacate the same, giving a general description of such road or part of road so supplied, and make report of the same to the next court of quarters sessions of Luzerne county, as provided now by law for the vacation of roads supplied by other

roads, the same to be approved of by the said court as now provided for by law, for the approval of road views and vacations.

SECTION 3. That so much of the original charter of said company and the said act of Assembly, approved twenty-sixth January, one thousand eight hundred and fifty-four, as conflicts or is inconsistent herewith, is hereby repealed so far as relates to this act. Repeal.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 439.

## AN ACT

To authorize the Supervisors of Whitpain township, Montgomery county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fifth section of the act, entitled "An act to incorporate the Plymouth and Upper Dublin turnpike road company, and for other purposes," approved the fifteenth day of April, Anno Domini, one thousand eight hundred and fifty-three, be extended to the supervisors of the said township of Whitpain, so as to authorize them to borrow money on the credit of said township, to pay the amount of stock subscribed by said township to the Skippack turnpike road company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 440.

## A SUPPLEMENT

To an act to authorize the Governor to incorporate the Wissahickon Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Wissahickon turnpike road company, for the purpose of the completion of said road, to pay off the debt incurred, and to be incurred in the construction of the same, and in order to the more full and perfect enjoyment of the rights and franchises heretofore granted to said company, be and they are hereby authorized and empowered to issue bonds, or certificates of loan, in the corporate name, and under the common seal of said company, to any amount not exceeding fifteen thousand dollars, bearing an interest of six per centum per annum, payable semi-annually; no bond or certificate to be for a less amount than one hundred dollars; and to sell and dispose of the same, or any part thereof from time to time, for the best price or prices that can be obtained for the same, and the purchase and sale of such bonds or certificates shall not be deemed usurious; and in order to secure the payment of such bonds or certificates of loan, and of the interest as it may accrue semi-annually on the same, the said president and managers are hereby authorized to execute a mortgage in the corporate name, and under the common seal of said company, of the road, tolls, houses, and all the property, as well as of all the franchises, rights and privileges of said company, to a trustee or trustees to be therein named, for the use and benefit of the holders of such bonds or certificates of loan; and it is hereby further provided, that if at any time the principal of any such bond or bonds, or certificate or certificates of loan, or one year's interest on any one of the same, shall be and remain due and unpaid for the period of thirty days, it shall and may be lawful for the holder or holders of any such bond or bonds, or certificate or certificates of loan, to sue out a writ of scire facias from the district court for the city and county of Philadelphia, in the name of the trustee or trustees in such mortgage named, at the suggestion of such holder or holders on the said mortgage, and to prosecute said suit to judgment; which judgment shall be rendered against the company, unless it can show that no such principal or interest has been due and unpaid for the space of thirty days previous to the commencement of suit; and the said judgment shall be for the whole amount of such mortgage, with the interest accrued, unpaid on the bonds or certificates of loan, and shall stand and remain for the benefit of all of the holders of such loan; and it shall and may be lawful for any holder of such bond or bonds, or certificate or certificates of loan, to sue out execution of said judgment; under which execution a sale shall pass to the purchaser all the property of said company in said mortgage described, and all the rights, liberties and franchises of said company, as well as all the rights, stock, and



privileges of the stockholders of said company; and the purchaser or purchasers shall hold the said road, with all the corporate powers of said company, subject to the act of incorporation, and the several laws of this Commonwealth regulating turnpike roads.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 441.

### A N A C T

Authorizing the School Directors of Upper Salford, in Montgomery county, to sell certain School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of common schools in the Upper Salford school district, in the county of Montgomery, are hereby authorized to sell at public or private sale for the best price or prices that can reasonably be obtained for the same, all them two certain school houses with the lots and appurtenances thereto belonging; the one known by the name of Grimby's school house, bounded by lands of Jacob Cassel, John Shafer and others, the other known by the name of Auchy's school house, and bounded by lands of Samuel and William Godshall and Jacob Frederick, and to convey the same by deed or deeds to the purchaser or purchasers, so as to vest the same in him or them in fee simple; and to apply the proceeds of said sale, after deducting their reasonable charges and expenses, for school purposes in the said school district of Upper Salford.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 442.

## A N A C T

To extend the provisions of the seventeenth section of an act regulating Banks, approved the sixteenth day of April, Anno Domini, one thousand eight hundred and fifty, to the Bank of Chambersburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the seventeenth section of an act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, be and the same are hereby extended to the Bank of Chambersburg.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 443.

## A N A C T

Regulating certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the qualified voters of North Mahoning township, Indiana county, shall hold their general and township elections at the house of Samuel S Beck, of said township.

North Mahoning  
township, Indi-  
ana county.

SECTION 2. That from and after the passage of this act, it shall be lawful for the qualified voters of Barnett township, Jefferson county, to hold their general and township elections at the house of Orren Butterfield, in said township.

Barnett township,  
Jefferson county

SECTION 3. That the township and general elections in the township of Pulaski, lately erected in the county of Beaver, shall be held at the house of William M'Clelland, in said township.

Pulaski township,  
Beaver county.

SECTION 4. That the general, special and township elections in the township of Dunstable, in Clinton county, shall hereafter be held at the house of Samuel A. Ross, in said township.

Dunstable town-  
ship, Clinton  
county.

SECTION 5. That hereafter the general and township elections in the township of Eldred, in the county of Jefferson, shall be held at the house of James Somerville, in said township. Eldred township.  
Jefferson county.

SECTION 6. That annual elections of directors of common schools of the city of Lancaster, heretofore or hereafter held at the place within said city designated by the president and secretary of the board, in their public notice of said election, shall be lawful; and that thirteen members of said board shall be a quorum for the transaction of all business except the levy and assessment of school tax, the election of teachers, the purchase and sale of real estate, and the adoption of resolutions for the erection of new school houses, in which cases twenty shall constitute a quorum. Annual election  
of school direc-  
tors in Lancaster  
city.

SECTION 7. That all that part of Northumberland county, beginning at the southeast corner thereof; thence along the line of Schuylkill county, south sixty-six degrees west, to a point on said line three miles west of the road leading from the town of Shamokin to Minersville; thence north thirteen degrees west to the crest of the Big Mountain; thence easterly along the crest of said Big Mountain to the Columbia county line; thence southwardly along said line to the place of beginning, be and is hereby erected into a separate election district, and the general and special elections for said district shall be held at the public house of Felix Lerch, in Mount Carmel, in said district, and Felix Lerch shall be the judge and Francis B. Potts and George R. Sholl, inspectors, to open and hold the first election under this act. New election dis-  
trict formed in  
Northumberland  
county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 444.

## AN ACT

To incorporate the Mattson's Ford and Township Line Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Isaac Dehaven, Daniel Kinzie, J. M. Williams, F. Naile, junior, William Davis, senior, William Davis, junior, John W. Wagner, John Dager, Joseph W. Comrad, Henry Dull, Marke Brook, George M'Farland, Isaac Jones, James R. Shock, Bethel Moore, John Wood, G. W. Jacoby, S. Colwell, John Roberts and James Commissioners.



Boyd, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mattson's Ford and Township Line turnpike road company, with power to construct a turnpike road from the west end of the Mattson's Ford bridge over the river Schuylkill, and at or near the storehouse of William Davis, in Upper Merion township, Montgomery county, thence until it intersects or runs into the Gulf road at or near the Gulf meeting house, in said township and county; the same to be on or nearly on the line dividing the said townships of Upper and Lower Merion, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, at ten dollars per share: *Provided*, That the said company may from time to time by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road, and carry out the true intent and meaning of this act.

SECTION 3. That whenever said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls agreeably to the conditions and restrictions of sections twelve and thirteen of the said act of the twenty-sixth of January, one thousand eight hundred and forty-nine.

SECTION 4. That if the said company shall not commence the construction of their road within four years after the passage of this act, and complete the same within three years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 445.

## AN ACT

Relative to the terms of the Courts of Berks and Butler counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the April term of the several courts of Berks county,*

shall commence on the second Monday in April, instead of the first Monday as heretofore provided by law, and that all writs and process from, and returns to the said courts, be returnable accordingly.

SECTION 2. That hereafter the time of holding the several courts of Butler county, now fixed on the second Monday of November, be changed to the fourth Monday of September in each year, and that all writs and process from, and returns to the said courts, be returnable accordingly.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 446.

# AN ACT

To prevent the sale of Liquor at the Sand Patch Tunnel, in the county of Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons to erect place or have any booth, stall, tent or any other place whatever, for the purpose or use of selling, giving or otherwise disposing of any kind of spiritous liquors, wine, porter, beer, cider or other fermented, mixed or strong drink, within three miles of the Sand Patch Tunnel, on the Pittsburgh and Connelsville railroad, in the county of Somerset, during the time of making and completing said tunnel: *Provided,* This act shall not be so construed as to affect any licensed tavern keeper, in his or her lawful and ordinary business, at his or her usual place of residence.

SECTION 2. That any person selling liquor contrary to the provisions of this act shall be liable to indictment, and on conviction thereof shall forfeit and pay for every such offence a sum not exceeding fifty dollars; one half whereof shall go to the informer and one half to the use of Somerset county.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 447.

## AN ACT

Relative to the Allegheny Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any railroad made or constructed by the Allegheny railroad and Coal company, shall be taken and deemed a public highway; and that for the purpose of making and constructing any railroad by said company, and the regulation of the toll, tonnage and transportation thereon, said company shall have all the rights, powers and privileges, and be subject to all the conditions and restrictions conferred and imposed by the act of Assembly, approved the nineteenth day of February, one thousand eight hundred and forty-nine, entitled "An act regulating railroad companies."*

SECTION 2. That all the rights, powers and privileges conferred by the act of Assembly creating said company, for any other purposes than such as strictly pertain to said company as a railroad company, shall continue in force for twenty years from and after the passage of this act, and no longer.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 448.

## AN ACT

Relative to the Waynesboro' and Maryland State Line Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to incorporate the Waynesboro' and Maryland State Line turnpike company, approved March sixth, one thousand eight hundred and forty-seven, be and the same is hereby so amended*



as to require said road to be opened only to the width of thirty-three feet.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 449.

### AN ACT

To establish a public Ferry on the Allegheny River at Thomas Moran's, in Cornplanter township, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Moran, his heirs and assigns, shall have the right and privileges at his or their own proper cost and charges, to make good and convenient landings on each side of the Allegheny river, at or near his own residence in Cornplanter and Cranberry townships, Venango county, and also the right and privilege of erecting posts on his own lands contiguous to said landings, and to extend therefrom and across said river Allegheny, a rope, chain or wire, in order to facilitate the crossing said stream: *Provided,* That the said rope, chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of crafts navigating said river.

Thomas Moran to make landings.

Provide.

SECTION 2. That said Thomas Moran, his heirs and assigns shall keep good and substantial boats and flats, and careful ferrymen who shall constantly as occasion may require, attend for the purpose of transporting travelers and others across the said river; and on failure thereof, unless prevented by some unavoidable occurrence, he or they shall forfeit and pay a fine of five dollars, besides the actual damages done to any person who shall suffer detention therefrom, and shall sue for the same within ten days thereafter, before any justice of the peace within the township of Cornplanter, in the county of Venango.

To keep boats, flats, &c.

SECTION 3. That said Thomas Moran, his heirs and assigns for keeping and maintaining the said landing and ferry as aforesaid, shall receive compensation from persons passing over said river at said ferry, at the following rates to wit: for each foot person, five cents; for each person and horse, ten cents; for each one horse carriage, eighteen and three-quarter cents; for each two horse carriage or wagon, twenty five cents; for each four horse wagon, thirty-seven and a-half cents; for each additional horse, five cents; for each yoke of oxen, ten cents; and for each head of horned or neat cattle, led or drove, three cents; for each head of sheep or swine, led or driven, one cent.

Compensation.

Penalty for injuries to works.

SECTION 4. That if any person or persons shall willfully pull down, cut, break or in any manner injure or destroy any post, ropes, wires, chains, boats or other property belonging to the said ferry, he, she or they so offending, shall each and every of them forfeit and pay to the said proprietor or proprietors, the sum of fifteen dollars, in addition to all damages sustained by the said proprietor or proprietors, to be recovered as debts of like amount are by law recoverable, or in default of payment thereof, undergo imprisonment in the county prison for any term not exceeding three months, at the discretion of the justice before whom suit is brought.

Duties of courts when rates of ferriage are too high.

SECTION 5. That at any time when twenty or more citizens shall petition, the court of quarter sessions in the county of Venango, setting forth that they have just reason to believe that the rates of ferriage are too high and ought to be reduced, or too low and ought to be increased; it shall be the duty of the said court to lay the same before the grand jury of the said county, who are hereby authorized and required to hear the parties, and if in the opinion of a majority of them, the rates are too high or too low, they shall reduce or raise the same in proportion as they may deem equitable and just: *Provided*, That the aforesaid ferry shall be and is hereby made subject to such other rules and regulations as the court of quarter sessions may direct.

Proviso.

E. B CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 450.

## AN ACT

To incorporate the East Mahanoy Railroad Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Roland Jones, Richard Carter, John Anderson, Robert Ratchiff, R. A. Heaton, George Wiggan and Benjamin T. Hughes, of the county of Schuylkill, and John Tucker, Thomas Biddle, Francis N. Buck and Cornelius Stevenson, of the city of Philadelphia, and their associates, or any two of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "East Mahanoy railroad company," with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An act regulating railroad companies," approved

Style.

Subject to provisions of certain act.

the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock to so much, as in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.

Capital stock.

Proviso.

SECTION 3. That said company shall have the right to build and construct a railroad from a point on, and connecting with railroad of the Little Schuylkill navigation railroad and coal company, at about five miles north of Tamaqua, in the county of Schuylkill, and thence in and by such route as the directors of the said, the East Mahanoy railroad company, may deem most expedient, to any point or points in the Mahanoy second coal field, with suitable branch roads therein, not exceeding, in the whole, twenty-five miles in length.

Powers.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 451.

## A FURTHER SUPPLEMENT

To an act incorporating the Pennsylvania Railroad Company, passed the thirteenth of April, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, that became a law on the eighteenth of February, one thousand eight hundred and fifty-four, entitled "A further supplement to an act incorporating the Pennsylvania railroad company," passed the thirteenth of April, one thousand eight hundred and forty-six, as gives power to said railroad company to enter upon property situated between Marberry, Penn, Water streets and Exchange alley, in the first ward of the city of Pittsburgh, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 452.

## AN ACT

To authorize the Borough of West Chester to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and assistant burgesses of the borough of West Chester, in council assembled, are hereby authorized and empowered, for the purpose of extending the water works, and of increasing the supply of water in the said borough, to borrow any further sum or sums of money, not exceeding fifteen thousand dollars, in addition to the sum of fifty thousand dollars authorized by said act, in the name and upon the faith, credit and responsibility of the said borough, and to impose and assess such tax or taxes from time to time, as may be necessary to pay the interest upon such loan, and to redeem the principal at such time and in such manner as may be conformable to the terms upon which the same shall have been taken.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 453.

## AN ACT

For the relief of Susan A. Kelley and Elizabeth Smith.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the State Treasurer be and he is hereby authorized and required to pay to Susan A. Kelley, of Chester county, widow of William Kelley, a fireman, who was killed while in the employ of the State on the Columbia and Philadelphia railroad, a gratuity of two hundred dollars; and also to Elizabeth Smith, of Chester county, widow of Newton Smith, an engineer, who was killed*

while in the employ of the State, a like gratuity of two hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 454.

## AN ACT

To incorporate the Millsboro' and Jefferson Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. N. W. Truxall, Thomas P. Pollock, Levi H. Bell, Samuel Colver, Charles Hughes, Alexander Patton, John Corbit, Robert Patterson and L. D. Ingram, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Millsboro' and Jefferson Style. turnpike or plank road company, with power to construct a turnpike or plank road from the borough of Millsboro', in Washington county, to the borough of Jefferson, in Green county, by such route as may be agreed upon by a majority of the stockholders at a meeting called for that purpose, with the privilege of occupying such part or parts of any State, county or township road, as may be deemed expedient and necessary for the purpose aforesaid, subject to all the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except as hereinafter provided. Subject to provisions of certain act

SECTION 2. That the president and managers of said company Powers. shall have power to construct said road in such manner as will admit of an even surface, and so nearly level in its progress, that it shall in no place rise or fall more than will form an angle of three degrees from a horizontal line.

SECTION 3. That whenever said company shall have finished one mile or more of said road, the president thereof shall give notice to the Governor, who shall appoint forthwith three skilful, judicious and disinterested persons to view the same, and report on oath or affirmation to him, whether said road is so far executed in a competent and workmanlike manner, according to the true intent and meaning of the act regulating turnpike and plank road companies; and if their report shall be in the affirmative, then the Governor shall, by license under his hand and the seal of the State, permit and suffer said company to License to take toll.

erect and fix such gates upon and across the said road, as will be necessary and sufficient to collect such tolls as are authorized by the general laws aforementioned, and the supplement thereto, except so much of the eleventh and twelfth sections of said act as are hereby altered or supplied.

Commencement  
and completion of  
road.

SECTION 4. That if said company shall not commence their road within two years, and complete the same within six years from the passage of this act, the same shall be void.

Capital stock

Proviso.

SECTION 5. That the capital stock of said company shall consist of four hundred shares, at twenty-five dollars each: *Provided*, That said company shall from time to time by a vote of the stockholders, had at a meeting called for the purpose, increase their capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

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No. 455.

## A SUPPLEMENT

To the act, entitled "An act to incorporate the Pennsylvania Training School for Idiotic and Feeble Minded children."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the words "to take effect when a like sum shall be subscribed by other responsible contributors," contained in the fifth section of the act of Assembly, passed the seventh day of April, one thousand eight hundred and fifty-three, entitled "An act to incorporate the Pennsylvania training school for idiotic and feeble minded children," be and the same are hereby repealed; and the first sum in said act mentioned, shall be paid by the State Treasurer, on the warrants of the Governor, as the same shall be required, from time to time, for the purchase of a lot, and the erection of suitable buildings for said institution.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 456.

AN ACT

Appointing commissioners to review and lay out a State road from Waynesburg, Greene county, to the west end of Washington county, in a direction of West Union, in the State of Virginia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners John Birch, of Washington county, and John L. Crawford and Richard Jams, of Greene county, be and they are hereby appointed commissioners, to review and lay out a State road beginning at Waynesburg, Greene county, to intersect a State road now locating or about to be located from Shepherds bridge on the National road, to the Virginia State line near West Union; it shall be the duty of said commissioners after having been duly sworn or affirmed, before a justice of the peace to perform the duties enjoined upon them by this act, with impartiality and fidelity, to carefully view the present road and parts adjacent between the aforesaid points, and lay out the same as near the route of the existing road as the requisite improvement of the said road will admit; the vertical departure from a horizontal line at no place to exceed four degress, excepting only at a crossing of ravines and streams, where by moderate excavations, filling or bridging, the declination of the said road may be preserved within that limit. Route.

SECTION 2. That the commissioners herein named, except the surveyor, who shall receive two dollars per day; shall receive a per diem allowance of one dollar and fifty cents, for each day they shall be necessarily employed in performing the duties under this act, and the said commissioners are hereby authorized to employ two chain carriers and one axe-man, at one dollar and fifty cents each, for every day necessarily employed. Compensation

SECTION 3. That the said commissioners shall with as little delay as possible after said survey, make out their drafts of said road as located, whereon shall be noted the courses and distances, the crossing of streams, of county and township lines, one of which shall be forwarded by mail to the Secretary of the Commonwealth, to be filed in his office as a matter of record, and one to be filed in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass; which clerks are hereby authorized on the filing of said drafts, to issue an order on the supervisors of each township in their respective counties, for the immediate opening of said road, the expenses of which orders are to be borne by the respective counties, in proportion to the number of days employed in each, and from the time of such filing, as last stated, the said road shall be to all intents and purposes a public highway. Drafts to be made out and filed.

SECTION 4. That it shall be the duty of the supervisors of the several townships in the counties through which the said road authorized to be laid out, by the foregoing sections of the act aforesaid, shall pass, upon twenty days previous notice being given, to proceed to open and make said road, as other roads are Duties of supervisors.

opened and made, and on failing to comply, the said supervisors or any of them shall forfeit and pay a fine of not less than fifty dollars, to be collected as other fines are collected, without stay of execution, and said fines shall be appropriated to the use of said road.

Power to vacate roads.

SECTION 5. That the commissioners appointed by or in pursuance of this act, shall have power to vacate any road or parts of roads which may be rendered useless by the location of the road hereby authorized, and shall have power to change the location of any part of the road now in use between the points mentioned in this act.

Accounts, how settled.

SECTION 6. That the accounts of the said road commissioners for their own pay, and that of the chain carriers and axe-man, shall be adjusted by the county commissioners, of the counties through which the said road may pass, and paid out of the treasuries of the same according to the time actually required to locate the road within the respective counties.

When commissioners to meet.

SECTION 7. That the said commissioners shall meet at Waynesburg, Greene county, on or before the first day of August, one thousand eight hundred and fifty-four, or as soon thereafter as practicable, and proceed to perform the duties aforesaid; and if any vacancy or vacancies occur by resignation or otherwise the remaining commissioners shall supply the same by the appointment of a suitable person who shall perform the duties aforesaid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 457.

## A SUPPLEMENT

To an act authorizing the laying out of a State road from Tunkhannock, in Wyoming county, to Towanda, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners who, by the authority of the act to which this is a supplement, located the State road from Tunkhannock, in Wyoming county, to Towanda, in Bradford county, are hereby authorized and required to make out and file their reports and drafts, according to the act aforesaid, on or before the first day of September, one thousand eight hundred and fifty-four, and that their accounts for services for themselves, their chainman*

and axeman, and other assistants, shall be paid as is provided for in the aforesaid act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 458.

## AN ACT

Vacating part of Bingaman street, in the city of Reading.

WHEREAS, Bingaman street, in the city of Reading, has been vacated east of Tenth street, by an act of the Legislature:

*And whereas, A portion thereof remains unvacated, running in a northeasterly and southwesterly direction, forming an obtuse angle, and creating an irregularity in the streets of said city; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the part of Bingaman street, in the city of Reading, lying north of Chestnut street and west of Tenth street, containing about thirty-seven feet on said Chestnut street, and about nineteen feet on said Tenth street, be, and the same is hereby vacated.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 459.

## AN ACT

Authorizing the incorporation of a Company to erect a Bridge over the Clarion river near Stratonville, Clarion county.

Preamble

WHEREAS, By act of the General Assembly of this Commonwealth, passed the eighteenth day of March, Anno Domini, one thousand eight hundred and forty-eight, Wilson S. Packer, Isaac Jones, Hugh Maguire, Isaac Clover, J. W. Guthrie, George Calohan, John Reed and Philip Clover, were appointed commissioners, and authorized to construct a bridge across the Clarion river, in the county of Clarion, at or near the junction of Mill creek with said river, and did so construct said bridge on the premises of one of said commissioners:

*And whereas*, By a recent ice flood a portion of said bridge has been destroyed, and the re-construction of it is too expensive for the parties immediately interested to incur; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Wilson S. Packer, Isaac Jones, Hugh Maguire, Isaac Clover and J. W. Guthrie, and their successors, shall be and they are hereby enacted and declared to be one body politic and corporate, by the name, style and title of the "Rose Valley bridge company;" and the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere; and also, the said corporation shall, and their successors shall, at all times hereafter be able to purchase, receive, have, hold and enjoy, to them and their successors all, and all manner of lands, tenements, rents, annuities, liberties, franchises, and other hereditaments, goods and chattels, of whatsoever nature, kind or quality, real, personal or mixed, or choses in action, and the same from time to time to sell, alien, grant, lease, demise and dispose of: *Provided*, That the clear yearly value or income of the said corporation shall, at no time, exceed two thousand dollars; also to have and make a common seal, and the same to break and renew at pleasure; and also to ordain, establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of the affairs of the said corporation, not being contrary to the charter, or the constitution and laws of the United States or of this Commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs of the same.

Proviso.

Cost of construction to be divided into shares.

SECTION 2. That the cost of the construction of said bridge shall be divided into shares of fifty dollars each, and certificates for the same shall be issued by the board of managers, signed by the president, and countersigned by the clerk, entered on a book to be kept for that purpose, and delivered to the person or persons entitled to receive the same; as also for such further

subscription of stock as shall be made for the re-construction of said bridge, and the repairs of the same from time to time.

SECTION 3. That for the further regulation of the affairs of said corporation, its organization and management, and for the ascertainment and government of its powers, rights, duties, franchises and liabilities, the said corporation shall, in all things so far as applicable, be subject to the provisions, regulations and restrictions of the act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act to authorize the Governor to incorporate a company to erect a bridge over the river Clarion, at or near Callensburg, in the county of Clarion," approved the twenty-seventh day of March, one thousand eight hundred and forty-five, except as to the time when books, for taking subscription to the stock of said company, shall be opened, and the said act is hereby made part and parcel of this act. Subject to provisions of certain act.

SECTION 4. That it shall be the duty of the company and stockholders, incorporated by this act, to settle the accounts of Thomas Hall and John Fitzimmons with Wilson S. Packer, Isaac Jones, Hugh Maguire, Isaac Clover and James W. Guthrie, on contracts for erecting former bridges over Clarion river, in Clarion county, at or near the mouth of Mill creek, erected agreeably to an act of Assembly, dated the eighteenth of March, one thousand eight hundred and forty-eight; and the said company and stockholders are hereby required and directed to pay any balances due said Hall and Fitzimmons, on said contracts, out of this corporations funds; and the said balances due said persons, are hereby declared to be a lien on any bridge erected under this act, and shall so remain and be a lien, until finally they are paid and discharged by said company. Company to settle certain accounts.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 460.

## A SUPPLEMENT

To the act to incorporate the York Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the York gas company are authorized to borrow a sum not exceeding ten thousand dollars, for which they may issue the bonds of the company, bearing interest from the time

of issuing the same, and may execute a mortgage or mortgages upon the works of the said company, if necessary, to secure the payment of said bonds, and the real estate, and all the works of said company, are hereby pledged and bound for the payment of the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 461.

## AN ACT

To extend Chancery Jurisdiction to the Courts of certain counties in the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several courts of common pleas of the sixth judicial district, composed of the counties of Warren, Crawford and Erie; and the several courts of common pleas of the eighteenth judicial district composed of the counties of Mercer, Venango, Clarion, Jefferson and Forest; and the several courts of common pleas of the counties of Beaver and Lawrence within the seventeenth judicial district and of the counties of Centre and Clinton; in addition to the powers and jurisdictions heretofore possessed and exercised, shall have the same chancery powers and jurisdictions which are now by law vested in the court of common pleas of Philadelphia county, and in all cases an appeal may be taken to the supreme court from the final decrees of the said courts respectively, in suits and proceedings in equity, in the same manner, and on the same terms and conditions as are provided in cases of appeal from the decrees of the court of common pleas of the city and county of Philadelphia: Provided, That the jurisdiction hereby extended shall not be construed to apply to any case where the cause of action has accrued prior to the passage of this act.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 462.

## AN ACT

To authorize the Elders of the First Moravian church to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the elders of the First Moravian church, in the city of Philadelphia, and Commonwealth of Pennsylvania, be, and they are hereby authorized to sell and convey in fee simple to the purchaser or purchasers thereof, all those two contiguous lots of ground, with the two three story brick dwellings and church edifice erected thereon, situate on the south side of Race street, between Second and Third streets, in the city of Philadelphia, containing together, in front on Race street, sixty feet six inches, and extending in depth of that width southward, one hundred and two feet, bounded northward by Race street, eastward by ground formerly of George Parrock, since of the heirs of Jacob Walker, southward by the next hereinafter described premises, and westward by Bread street, subject, as respects the easternmost lot, (being twenty-five feet six inches in width) to an annual ground rent of three pounds, sixteen shillings and sixpence; also, all that lot of ground situate on the east side of Bread street, adjoining the above on the south, containing in front on Bread street twenty-five feet four inches, and extending in depth eastward sixty feet three inches, more or less, bounded on the north by the premises above described, on the east and south by ground now of Charles Evans, and on the west by Bread street, excepting and reserving, nevertheless, unto Charles Evans, the owners, tenants and occupiers of the premises adjoining on the east and south of this last mentioned lot, a right of passage heretofore granted, over and along a certain passage way, seven feet six inches in width, laid out over the above lot along the south side thereof, communicating with Bread street, and extending the whole depth of said lot, which passage way is not to be built on or over, but is to be left open and uncovered for light and air forever, discharged from all trusts, and without obligation on the purchaser to see to the application of the purchase money, and to make, execute and deliver good and sufficient deeds and conveyances for the same: *Provided,* That the said elders of the First Moravian church, in the city of Philadelphia, and State of Pennsylvania, shall hold and invest the proceeds of the said sale subject to all the trusts to which the said real estate is now subject.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 463.

## AN ACT

Relative to certain Streets and Alleys in the Borough of Lock Haven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all those certain streets and alleys in the borough of Lock Haven, south of Clinton street, and that certain alley running from Church street to Mary's alley, east of lot number one hundred and seventeen, in said borough, be and the same are hereby vacated.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 464.

## AN ACT

To authorize the President and Managers of the Birmingham and Pittsburgh Bridge Company, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and managers of the Birmingham and Pittsburgh bridge company, in the county of Allegheny, be and the said company are hereby authorized to borrow any sum or sums of money, in the aggregate not exceeding the sum of fifty thousand dollars; and it shall be lawful for said company to secure the money so borrowed by bond or bonds of said company, in such form or forms and on such terms and conditions as may be by them deemed expedient, and if necessary on such security as may be mutually agreed upon by and between the parties interested: *Provided, That* said company shall issue no bond for a less sum than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 465

## AN ACT

For the relief of William S. Torr, and Henry and Mrs. Smith.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of two hundred and fifty dollars be and the same is hereby appropriated to the use of William S. Torr, in compensation for damages he sustained by the burning of his house, in West Philadelphia, caused by sparks from a locomotive engine, on the Philadelphia and Columbia railroad; and that the further sum of one hundred dollars be and the same is hereby appropriated to the use of Henry and Mrs. Smith, tenants of said house at the time of the fire, in compensation for damages they sustained on account of the burning of said house.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 466.

## AN ACT

Relative to the claim of Reeves, Abbott and Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners are hereby authorized to examine and settle the claim of Reeves, Abbott and company, against the Commonwealth, for losses sustained by violation of contract for the purchase of iron for re-laying the track of Columbia and Philadelphia railroad.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 467.

## AN ACT

Authorizing the appointment of High Constable in the borough of Saltsburg,  
Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Saltsburg, Indiana county, are hereby authorized to appoint one or more high constables for said borough, which said high constable or constables so to be appointed, shall have all the power and authority to receive and execute all civil and criminal process which may be issued by the burgess or any justice of the peace of the said borough, in like manner for the same fees and with the same force and effect within the said borough as may or can be done by the borough or township constables, under existing laws of this Commonwealth.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 468.

## AN ACT

To incorporate the Allegheny Railroad and Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Bell, Robert M. S. Jackson, B. F. Bell, Charles Fuller, John Scott, John H. Brant, and others who may become associated with them, be, and they are hereby constituted a body politic and corporate by the name, style and title of the Allegheny railroad and coal company, and as such shall have power to lay out and construct a railroad from the Allegheny mountain, in Blair county, to the Pennsylvania canal, at Hollidaysburg, or to connect with the Pennsylvania railroad, or with the Portage railroad, at any convenient point or points, with the right to extend the same into the county of Clearfield, they shall

Corporators.

Style.

Privileges.

also have the right to purchase lands and real estate to an amount not exceeding one hundred and fifty thousand dollars, including the cost of land and buildings required for shipping coal on the Pennsylvania canal, and to hold the same in fee simple, and shall have the right to prove and open the veins of coal and other minerals on or in their land, to mine, lease or sell coal, to sell or manufacture the timber which may be found on said land, to erect such buildings, machinery and improvements as may be necessary, and may divide said land into a convenient number of shares of capital stock, at not less than ten nor exceeding fifty dollars for each share, at any valuation not exceeding the intrinsic productive value thereof, and to exercise all the rights, powers and privileges conferred upon Coal Run improvement company, by the act incorporating the same, approved the eleventh day of March, Anno Domini, one thousand eight hundred and fifty-one, with the acts therein referred to, as forming part of the same.

SECTION 2. That the stockholders shall be jointly and sever- Liability.  
ally liable in their individual capacities for debts due to miners, quarrymen and other laborers employed by such companies, and for machinery and other materials furnished for said companies respectively.

SECTION 3. That the said company shall pay into the State Amount per cent.  
Treasury the sum of one half of one per centum on the capital to be paid to  
stock of the said company, to be paid in three annual instal- State.  
ments, the first to be paid on the first day of January, one thousand eight hundred and fifty-five.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 469.

## A FURTHER SUPPLEMENT

To an act regulating Banks, approved April sixteen, Anno Domini, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Total Liabilities.  
from and after the passage of this act the total liabilities of any bank in this Commonwealth, exclusive of the capital stock shall not at any time exceed three times the amount of the capital stock paid in: *Provided,* That when the deposits shall exceed Proviso.  
one-fourth of the capital stock, such excess shall not be counted

as a liability in the meaning of the above prohibition, nor shall the debts due and to become due to any such bank, ever amount more than four times the capital stock paid in, in loans to the Commonwealth excepted.

Change of section  
seventeenth of  
certain act

SECTION 2. That the seventeenth section of the act regulating banks, approved the sixteenth day of April, Anno Domini, one thousand eight hundred and fifty, so far as the same is not hereby altered, and the eighteenth section of the same act, be and are hereby extended to all the banks chartered prior to one thousand eight hundred and fifty: *Provided*, That the provisions of this act shall be applicable only to such of the banks of this Commonwealth heretofore chartered, as may accept the same by written evidence of such acceptance to be deposited with the Auditor General.

Proviso.

Duties of Auditor  
General

SECTION 3. That it shall be the duty of the Auditor General, to ascertain what banks of this Commonwealth have failed to comply with the provisions of the forty seventh section of the act of sixteen of April, one thousand eight hundred and fifty, entitled "An act regulating banks," and if any banks have so failed and have not paid the forfeit specified in said section, he shall demand the same and if necessary bring suit therefor in the name of the Commonwealth, and no objection of form shall defeat or prejudice such action, but the same shall be tried and determined on the merits.

Cashiers

SECTION 4. That all general laws relative to cashiers of banks shall be deemed and held applicable to the cashiers or treasurers of savings institutions.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 470.

## AN ACT

Relative to the Estate of Leavin Cornish.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all the right, title and claims which this Commonwealth may have acquired, or now has or is entitled to have, by reason of supposed escheat or right to escheat, from the want of heirs or known kindred of a certain Leavin Cornish, late of Middletown township, Delaware county, yeoman, deceased, in and to the*



estate situate in said county of Delaware, which the said Leavin Cornish was, at the time of his death, seized or possessed of, or in any way entitled to, be and the same is hereby granted to, and vested in the lineal descendants of Margaret Garnett, the daughter, or supposed daughter, of the said Leavin Cornish, in the same proportions, and with the same interests, as if the said Margaret was the lawful issue of the said Leavin Cornish: *Provided*, Nothing in this act shall affect the right of this Commonwealth, under the laws relative to collateral inheritance.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 471.

## AN ACT

Relative to the Supervisors of the township of Haycock, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same*, That the supervisors of Haycock township, Bucks county, shall before entering upon the discharge of their duties, give bonds with security in double the probable amount of the public money they may receive, conditioned for the faithful discharge of their duties, which bonds shall be in the name of the Commonwealth, and for the use of said township, and the approval of them shall be, in writing, by the township auditors, who shall retain the bonds, no tax shall be collected by such supervisors until they have the certificate of the auditors that such bonds have been filed with them.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 472.

## AN ACT

Supplemental to an act, entitled "An act to authorize the laying out of a State Road from the Allegheny and Perrysville Plank Road, to the village of Rochester, in Beaver county," passed eighteenth March, one thousand eight hundred and fifty one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Wallace, John White, of Beaver county, and Paul Way, of Allegheny county, be and they are hereby appointed commissioners to review, lay out, re-locate, or vacate any portion or portions of the road leading from Michael Harger's mill, in Economy township, Beaver county, to the county line between said counties of Beaver and Allegheny; and in laying out, re-locating or vacating portions of said road, or other roads, may consider the necessity, expense, or expediency of making the location between said points, either of five or three degrees, and according to their judgment so locate, at either grade, and report the same as is or may be provided by the original act; and James A. Gibson, of Allegheny, is hereby appointed surveyor, to act under said commissioners.

SECTION 2. That William West, John Crider and John Scott, of Allegheny county, are hereby appointed viewers, to review and locate about one mile of the eastern end of a certain State road, authorized by act of eighteenth of March, one thousand eight hundred and fifty-one, leading from the Perrysville plank road, at the farm of Robert Hilands, to Rochester, Beaver county; said road not to be located at a grade exceeding five degrees.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 473.

## AN ACT

To erect the borough of Pittston into a separate election district, also to erect said borough into a separate school district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all the territory embraced

within the limits of the borough of Pittston, in the county of Luzerne, shall constitute a separate election district, and the place for holding the elections in said district, be and the same is hereby fixed at the brick school house in said borough.

SECTION 2. The first election under this act shall be the general election to be held on the second Tuesday in October next, and the provisions of the first section of this act shall embrace all special, borough and general elections.

SECTION 3. The said borough of Pittston shall also constitute a separate school district, and shall be separate from any other district or districts, except so far as any taxes for school purposes may be now assessed, laid or collected, and the taxes for school purposes in said borough for the next school year shall be laid, assessed and expended by the school authorities of said district, in the manner and subject to the laws and regulations of this Commonwealth.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 474.

## A N A C T

To incorporate the Kittatinny Summer Retreat Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Wm. A. Brodhead, Charles Brodhead, Samuel C. Shimer, Albert G. Brodhead, junior, and Robert S. Van Syckle, or any three or more of them, be, and they are hereby appointed commissioners to do and perform the following duties, that is to say, they shall at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed, and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors, for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken. Commissioners.  
Open books.

SECTION 2. That the capital stock of said association shall be fifty thousand dollars, in shares of fifty dollars each, certificates whereof shall be issued to the subscribers for the number of Capital stock.



shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferrable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws.

Letters patent.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and two dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the Governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that two dollars on each share thereof have been paid, whereupon the Governor shall, by letters patent, under his hand and the seal of the Commonwealth, create and constitute the said subscribers, and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Kittatinny Summer Retreat Association, and by that name to have perpetual succession with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, plead and be impleaded, complain and defend in all courts of law and equity of record or otherwise, may make, have and use a common seal, and the same may alter and amend at pleasure, may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution and laws of the United States and this Commonwealth, and generally may do all and singular the matters and things necessary for the well being and due management of said corporation, and also as such shall have power to purchase lands at the Delaware water gap, and make such improvements to and upon the same as to said corporation may seem expedient and proper.

Style.

Privileges.

Meeting of subscribers.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet, for the purpose of organizing the association, giving at least three weeks' notice thereof, in at least one paper published in the borough of Stroudsburg, and one paper published in the city of Philadelphia, and the subscribers, when met at the time and place so appointed, shall elect by a majority of the votes given, in person or by proxy, a president and four directors, who shall manage the affairs and business of said association until the first Monday of August then next ensuing and until other chosen: *Provided*, That no person shall be eligible to the office of president or director who is not a stockholder in said association: *And provided further*, That in case of the death or resignation of the president or any director the remaining directors shall by a majority of the whole board supply the vacancy until the next annual election.

Proviso.

Proviso.

Duties of president and directors.

SECTION 5. That the president and directors of said association for the time being are hereby authorized and empowered to exercise all the powers granted to the corporation, they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met three shall be a quorum, the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie, in the ab-

sence of the president the board shall appoint a president pro tempore, they shall keep minutes of their proceedings in a suitable book to be provided for that purpose, shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artizans, workmen or other persons as in their opinion may be necessary and proper in the management of the affairs and business of said association, at such times in such manner and under such regulations as they may determine, they shall fix the salaries and wages of such officers and persons employed by them, and may require bond with security in such sums as they may deem proper of each, and any of said officers or other persons by them appointed or employed, for the faithful discharge of their duties, they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors, and the beauty and adornment of the grounds of the corporation, and to lease the property belonging to the corporation to such lessee or lessees for such term or terms and at such annual rents as may be determined by the board, and generally may do all such acts, matters and things as by this act and the by-laws of the association they may be authorized to do: *Provided*, That the said stockholders shall be personally liable in their individual capacity for all debts legally contracted by the said association. Proviso.

SECTION 6. That dividends of so much of the profits of the company as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such times and places as may be provided by the by-laws. Dividends.

SECTION 7. That the election for directors shall be conducted as follows, to wit: at the first election the commissioners who have acted or any three of them shall appoint three stockholders, to be judges of the said election, and to hold the same, and at every succeeding election the directors for the time being shall appoint three stockholders for the like purpose; and the persons so appointed by the commissioners or directors shall respectively take and subscribe an oath or affirmation before any officer competent to administer the same well and truly, and according to law to conduct such election to the best of their knowledge and ability, and the said judges shall decide upon the qualifications of voters, and when the election is closed shall count the votes and declare who is elected, and certify the same at the first election to the commissioners who appointed them, and at all subsequent elections to the directors, and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day within one year thereafter, by giving at least ten days previous notice of the time and place of holding such election, in one paper published in the borough of Stroudsburg, and one paper published in the city of Philadelphia, and the directors of the preceeding year continue in office with all the powers belonging to them as such until others are elected, each share of stock shall entitle the holder thereof to one vote, and each ballot shall have endorsed thereon the number of shares thereby represented, no proxy shall be received or entitle the holder thereof, to vote at any election or general meeting, unless the same shall bear date and have been duly executed within three months next preceeding such election or general meeting. Elections. how conducted.



Annual election.

SECTION 8. That the annual election of officers of such association, shall be held on the first Monday of August, in each and every year at such place as shall be fixed upon by the said commissioners and directors, and notice thereof shall be given by the secretary in the same manner as is required in the seventh section of this act.

Amendment of by-laws.

SECTION 9. That the stockholders of said association shall have power at any general meeting for the election of president and directors, or any meeting called for the purpose may alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of such meeting and the proposed alterations or amendments, shall have been given by publication as required in the seventh section of this act.

SECTION 10. That nothing in this act contained shall be construed to authorize the said association to engage in any banking business, and the Legislature hereby reserves the right to alter, annul or revoke this charter and the powers hereby granted, whenever they may see proper or the public interest may require it, so that no injustice be done to said stockholders.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 475.

## AN ACT

Relative to Supervisors in Mount Pleasant township, Westmoreland county.

Four supervisors to be elected,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the citizens of Mount Pleasant township, Westmoreland county, are hereby authorized to elect annually, four supervisors; two of the said supervisors shall reside south of the Clay pike, in said township, and two north of said pike; the two supervisors who shall reside south of the said Clay pike, shall have full control and management of the roads in that part of the township, and of so much of the Clay pike as commences at the western line of said township, to the house of Abraham Horbach, and the two supervisors who shall reside north of the Clay pike, shall have control and management of the said pike from the house of Abraham Horbach to its intersection with the plank road at the house of Daniel Hay, and of all other roads north of the said Clay pike, the said supervisors shall levy separate taxes, and in all respects be independent of each other.*



SECTION 2. That the said supervisors shall, at any time, have full power to establish division lines, such as they shall deem proper, and to make all other regulations which may be necessary for keeping the roads of said township in good order, subject to the general laws relative to supervisors. Power to establish division lines.

SECTION 3. That Mahlon Meyers and James Patterson, are hereby appointed supervisors for that part of said township south of the Clay pike, and George Freeman and Joseph Jack, for that part of said township north of the Clay pike, to hold their offices until their successors, who may be elected on the third Friday of March next, shall enter upon the discharge of their duties. Supervisors.

SECTION 4. That all acts inconsistent herewith, are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.* Repeal.

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 476.

## AN ACT

To incorporate the Shenango Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Achre, Samuel Goodwin, John A. Waugh, Samuel P. Johnston, W. W. W. Wood, D. B. Packard, J. T. Ray, R. Root, William Stewart, Samuel Griffith, Joseph Kissick, A. L. Crawford and G. A. Bittenbanner, and all other persons who may become members of said company in the manner herein prescribed, be and are hereby incorporated and constituted a body politic and corporate, by the name and style of the Shenango insurance company, for the purpose of insuring dwelling houses, stores and other buildings, household furniture, merchandise and other personal property against loss or damage, whether the same shall happen by fire, lightning, accident or any other means, except by design of the insured, or by the invasion of an enemy or insurrection of the citizens of this or any of the United States, and by that name may sue and be sued, appear, prosecute and defend in any court of record or other court or place whatever; may have and hold a common seal, the same Corporators.

Style.

Privileges.

to alter and renew at pleasure, may purchase and hold such real estate as may be necessary to effect the objects of this corporation, and the same to sell and convey at pleasure; may make and enforce such by-laws, the same not being contrary to the constitution or laws of this State or of the United States, as may be necessary or convenient for the government or management of its affairs, and may do and perform all such acts and things as may be necessary to carry into effect the provisions of this act.

**Membership.**

SECTION 2. That all persons who shall at any time be insured in said company, shall be members thereof during the continuance in force of their respective policies and no longer, and shall at all times be bound by the provisions of this act.

**Affairs, how managed.**

SECTION 3. That the affairs of said company shall be managed by a board of directors, to consist of not less than seven nor more than fifteen members, as may be regulated by the by-laws of said company, said directors to be chosen by ballot from among the members of said company, and the majority of the whole board shall constitute a quorum for the transaction of business: the persons named in the first section of this act shall be the first directors of said company, and shall continue in office until others may be chosen and no longer, which directors shall be elected on the second Wednesday in January in each year; such election shall be held at the office of the said company, at such hour of the day as the board of directors for the time being shall appoint, notice of which shall be given in one of the newspapers printed in the county of Mercer, at least thirty days immediately preceding such election, and such election shall be holden under the inspection of three members, not being directors, to be appointed previous to every election by the board of directors: such election shall be made by a plurality of votes of the members present or their proxies, allowing to each member one vote for every hundred dollars by him, her or them insured in said company, and the board of directors are hereby authorized at any of its meetings to provide a form for the apportionment of proxies, and to specify the evidence that may be required in the execution thereof.

**Officers.**

SECTION 4. That the board of directors shall elect a president, secretary and treasurer from among their own members, who shall hold their respective offices for the period of one year and until others are chosen in their place; the board of directors may also appoint an Executive committee from among their own members, and such committee, when the board is not in session, may exercise all the powers vested in this company, except where the company has, by its by-laws, otherwise provided; the board of directors may appoint examiners, agents and such subordinate officers as they shall deem necessary, who shall hold their offices during the pleasure of the board.

**Failure to elect not to dissolve corporation.**

SECTION 5. That if it shall at any time happen that an election of directors shall not be made on any day, when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful, on any other day, to hold and make an election of directors in such manner as shall have been regulated by the by-laws and ordinances of the said corporation.

**Rates of insurance.**

SECTION 6. That the rates of insurance shall be, from time to time, fixed and regulated by the company, and premium notes therefor shall be received from the insured, which shall be paid at such time or times, and in such sum or sums, as the



company shall from time to time require for losses and expenses ; any person applying for insurance, so electing, may pay a cash premium in addition to the premium note, or a definite sum of money to be fixed by said company in full for said insurance and in lieu of a premium note.

SECTION 7. That the said company may divide applications for insurances into two or more classes, according to the degree of hazard ; the cash premiums and premium notes received for insurance in each class shall constitute resources of that class ; the accounts and business of each class shall be kept separate and entirely distinct ; the cash premiums and premium notes of one class shall never be used for the payment of the losses and expenses of the other class or classes, when there is a mutuality of expense, as for office rent, advertising, et cetera, it shall be left to the discretion of the directors to specify the sum to be charged to each particular class.

Division of applications for insurance.

SECTION 8. That if it ever should so happen that the whole stock and contributions of either class be insufficient to pay and satisfy all the losses in that particular class, in such case a just average shall be made and the payment to be demanded by virtue of any policy in that class, shall be a dividend of such stock and contribution in proportion to the amount of loss ; should there be an excess of funds the directors shall have power to declare a dividend.

Losses.

SECTION 9. That the cash premiums received by the said company, for risks in lieu of premium notes, shall be applied in payment of losses and expenses before any assessment shall be made on any premium notes, and the said cash premiums, together with the premium notes, shall constitute the capital stock of this company.

Cash premiums.

SECTION 10. That when any property, insured by this company, shall be alienated by sale or otherwise, the policy thereupon shall be void ; but in such cases it shall be lawful for such insured to assign and deliver to the purchaser or purchasers such policy of insurance, and such assignee or assignees shall have all the benefit of such policy and may bring and maintain suit thereon in his, her or their own names : *Provided*, That before any loss happens, he, she or they shall obtain the consent, in writing, of the said company to such assignment and have the same endorsed or annexed to the said policy of insurance.

Policy, when to be void.

Proviso.

SECTION 11. That whenever any assessment is made on any premium note, given to the Shenango insurance company for any hazard taken by said company, or as consideration for any policy issued or to be issued by said company, and an action is brought for the recovery of such assessment, the certificate of the secretary of the said company, specifying such assessment and the amount due the said company on such note, by means thereof, shall be taken and received as prima facie evidence thereof in all courts and places whatever.

Certificates to be evidence.

SECTION 12. That the board of directors may invest and employ the funds of the said company, in such a way and manner as the interest and welfare of the company may require ; and the interest and profit thus acquired, shall be used for the benefit of said company.

Investment of funds.

SECTION 13. That the operation and business of said company shall be carried on and conducted in the borough of West Greenville, in the county of Mercer ; but no policy shall issue, or be

Where business to be conducted



issued by said company, until application shall be made for insurance of twenty thousand dollars at least.

Duties of secretary may be performed by his deputy.

SECTION 14. That anything by this act authorized or required to be done by the secretary of this company, may be done by the deputy or clerk of such secretary having charge of the office, with the consent of the board of directors, with the like effect, to all intents and purposes, as if done by the said secretary.

When act to take effect.

SECTION 15. That this act to take effect immediately after its passage, and any two persons named in the first section of this act, may call the first meeting of the company for the transaction of business.

Fiscal year.

SECTION 16. That the fiscal year of this company shall commence on the first day of January, and end on the last day of December in each and every year.

Reservation.

SECTION 17. That the Legislature reserves the right to repeal or annul the privileges hereby granted, if at any time they shall prove injurious to the citizens of this Commonwealth: *Provided however,* That no injustice be done to the corporators: *And provided,* That nothing contained in this act, shall be construed to allow this corporation to exercise any banking privileges, or issue any certificate or other paper, to be circulated as bank paper.

Proviso.

Proviso.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 477.

## AN ACT

To change the venue in certain cases from Union to Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prosecutions commenced in the court of quarter sessions of Union county, against Israel Gutelius, for an alleged attempt to bribe George Heimbach, one of the late commissioners of said county, to extend the subscriptions made by the commissioners of said county, to the Susquehanna railroad company, and to sign bonds for two hundred thousand dollars to said company, and also the prosecution commenced in said court against John Gundy and Isaac Eyer, for an attempt to bribe and for bribing said George Heimbach, as commissioner aforesaid, to sign bonds for two hundred thousand dollars to said Susquehanna railroad company, and also all prosecutions that have or may be hereafter commenced in the said county, against said Israel Gutelius, John

Gundy and Isaac Eyer, or either of them for any alleged attempt to bribe any of the commissioners of said county, to either extend the subscriptions made by the commissioners of said county to said railroad company, or to procure the signing of the bonds of two hundred thousand dollars, may be removed and transferred to the court of quarter sessions of Lycoming county, to be there tried in said court to which said prosecution or either of them may be removed and transferred, as if they or either of them had originated in the court to which they are hereby removed or transferred, and the records of said prosecutions shall be certified from the court of quarter sessions to said court of Lycoming county, to which the defendants or either of them may direct the same to be certified, and the filing of said certified copy of the records in the court of quarter sessions of said county of Lycoming, shall be evidence of such transfer, and removal having been decided upon and made that after the trial in the quarter sessions of Lycoming county, the records shall be sent back to the court of quarter sessions of Union county: *Provided*, That the said county of Lycoming, shall not be subject to any costs or expense in consequence or by reason of the transfer and removal of said prosecution or either of them, but the same or such part thereof as would otherwise fall upon the county, when the said prosecution or either of them shall be paid by the said county of Union.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 478.

## A SUPPLEMENT

To the act relative to the Estate of John Eckel, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the power conferred upon William Raiguel, executor of the last will of John Eckel, deceased, by the third section of the act of Assembly, approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-three, entitled "An act relative to the Greenwich Land and Building association, et cetera," be and the same is hereby so enlarged, as to authorize the said executor to sell the real estate of said decedent, under the restrictions named in said section, to any person or persons,

or body politic, in Schuylkill county or elsewhere; the said executor having first given security, to be approved of by the orphans' court of said county, for the faithful appropriation of the moneys arising from such sale.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 479.

## AN ACT

For the protection of Mechanics and Laborers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all assignments of property, whether real or personal, which shall hereafter be made by any person or persons or chartered company, to trustees or assignees, on account of inability, at the time of the assignment, to pay his or their debts, the wages of minors, mechanics and laborers employed by such person or persons or chartered company, shall be first preferred and paid by such trustees or assignees, before any other creditor or creditors of the assignor: Provided, That any one claim thus preferred shall not exceed one hundred dollars.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 480.

## AN ACT

To incorporate the Pennsylvania Mutual Horse Thief Detecting and Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Strickler, Thomas Gray, John Landis, Daniel L. Gehley, Eli Kindig, Jacob Diehl, Henry G. Kauffman and all persons who may hereafter associate with them in the manner hereinafter prescribed, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Pennsylvania mutual horse thief detecting and insurance company, and by the same name to be able to sue and be sued in all courts of record in Pennsylvania or elsewhere, and also make and have one common seal, and the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter, or the laws of the United States or this Commonwealth, generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well being of said corporation, and the due management well ordering of the affairs thereof.

SECTION 2. That the object and business of said corporation shall and is hereby prescribed to be the insurance of their respective horses, mares and geldings against theft, and for the recovery of stolen horses, and the detection of horse thieves in the Commonwealth of Pennsylvania, for such term or terms and for such premiums or considerations, and such modifications and restrictions as may be agreed on between said corporation and the persons agreeing with them for said insurance.

SECTION 3. That the affairs of this corporation shall be carried on and conducted in the borough of York, county of York, at such place where a majority of the directors shall designate; the board of directors shall consist of seven members, who shall be elected yearly at such time and place, and in such manner as the directors may direct in their by-laws, the board shall select from their own number a president, a secretary and a treasurer, and shall appoint such other officers as may be expedient, the duties of which shall be particularly set forth in the by-laws of said company.

SECTION 4. The directors shall be chosen by ballot at a general meeting of said company, each member having one vote, members may vote by proxy; the seven persons named in the first section of this act shall be the seven first directors, who shall hold their office until others are elected; vacancies shall be filled by the remaining board, and a majority of the directors shall constitute a quorum for transacting business.

SECTION 5. That every member of this corporation shall be bound to pay for losses and such necessary expenses in said

company, in proportion to the amount of his or her deposite note.

When certificate  
to issue.

SECTION 6. That no policy nor certificate of membership shall be issued until one hundred and fifty applications shall have been made.

Banking privilege  
prohibited.

SECTION 7. That this corporation shall not exercise any banking privilege, and this act to continue in force for thirty years; the Legislature reserving the right to alter, repeal or amend the same, yet not as to injure the corporators.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 481.

## AN ACT

Authorizing the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company to increase their capital stock, and issue bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, are hereby authorized to increase their capital stock, or to issue bonds, to an amount not exceeding five hundred thousand dollars, and to sell and dispose of such stock or bonds, and apply the proceeds thereof to increasing the number of tracks on the whole or any part of their road, to making improvements in connection therewith, or to the payment of such subscriptions to other railroads or canals in this Commonwealth, as they may deem proper to make; and also to make and execute in the corporate name, and under the corporate seal of said company, a mortgage upon the whole or any part of the real and personal property of said company, and the tolls and profits thereof, to secure the payment of said bonds with interest; the bonds to be payable at any period not exceeding thirty years from the date thereof, with coupons attached at the rate of six per centum per annum, payable semi-annually, and not for a less sum than five hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 482.

## A N A C T

Authorizing the Burgess and Town Council of the borough of Washington, Washington county, to subscribe Five Thousand Dollars to the stock of the Upper Ten Mile Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and council of the borough of Washington, in the county of Washington and State of Pennsylvania, in the name and behalf of said corporation be and are hereby authorized and empowered to subscribe for two hundred shares or five thousand dollars, of the capital stock of the Upper Ten Mile plank road company.

SECTION 2. That the burgess and council may borrow money to pay the said subscription, and may execute bonds or promissory notes in the name of the said corporation, for the principal and interest of the money so borrowed, and the bonds or promissory notes so to be executed, bearing an interest of six per centum, payable half yearly, may be received as cash by the said Upper Ten Mile plank road company, in payment of the instalments on shares subscribed for said borough: *Provided*, Said bonds shall not be issued in sums less than one hundred dollars each: *And provided further*, That said bonds shall not be issued until the said subscription be ratified by a vote of a majority of the legal voters of said borough, polled at an election which the burgess and council are hereby authorized and required to hold for that purpose, at as early a day as possible.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

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WE do hereby certify that the bill, entitled "An act authorizing the burgess and town council of the borough of Washington, Washington county, to subscribe five thousand dollars to the stock of the Upper Ten Mile plank road company," was presented to the Governor on the tenth day of April, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him, whereupon it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

*Clerk of the House of Representatives.*

THOS. A. MAGUIRE,

*Clerk of the Senate.*

April 24, 1854.



No. 483.

## A N A C T

Entitled "An act relative to the district of Belmont, in the county of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the district of Belmont are hereby enjoined and required to lay out foot-walks on each side of the Lancaster turnpike, within the limits of said district, of equal width, so as to leave carriage or roadway of not less than forty-eight feet, and to cause said foot walks to be pitched, curbed and paved with stone, brick or plank walks as may hereafter be directed by said board of commissioners, and to assess and collect the cost of the same on the property on said turnpike, according to the respective fronts, to be recovered as the costs of paving now are recovered in any of the districts of Philadelphia county, and in laying out said foot-walks should any property of the said Lancaster turnpike company or others be taken, the damages therefor shall be ascertained by a jury of not more than six persons, who shall be appointed by the court of quarter sessions, on application of seven freeholders of said district, and said damages, when ascertained, shall be paid by said district.

SECTION 2. That the county commissioners of Philadelphia county are hereby enjoined and required to open, pitch and put in good order and suitable condition for travel, by gravelling the Girard avenue from the Girard avenue bridge, on the river Schuylkill, to the Lancaster turnpike, or any part thereof, as the said avenue may or shall be laid down on the plans of streets for West Philadelphia and Blockley, and that the cost of the same shall be paid by the county of Philadelphia.

SECTION 3. The commissioners of the district of Belmont are hereby enjoined and required to open and grade of the width of eighty feet Hunter's lane, and to extend the same from the Virginia road to the Fountain road, and to open and grade Berk's avenue from its intersection with the old inclined plane of the Columbia railroad to the Lancaster turnpike, and to open and grade Montgomery avenue from the Columbia railroad bridge, on the river Schuylkill, near Peter's island, to the said turnpike, as the said avenues are or may be laid down on the plan of survey, authorized by section twenty of an act approved April fourteenth, Anno Domini, one thousand eight hundred and fifty-three, entitled "An act to incorporate the district of Belmont, and for other purposes," and as the said avenues may be continued on the lines of said plan: *Provided*, That this act shall only apply to such parts of said lane and avenues for which damages shall be released by the owners of adjoining property to the county of Philadelphia: *And provided further*, That nothing herein contained shall interfere with the survey and plan authorized by section twenty of the act of incorporation of the district of Belmont, but that said section shall continue in force until said survey may be completed, and that plans of the same may be deposited and filed as therein provided, in the office of the clerk

Footwalks authorized to be made

Duties of commissioners of county.

Duties of commissioners of Belmont district

Provide

Provide

of the court of quarter sessions, in such parts thereof and at such times as the same may be completed.

SECTION 4. That the Blockley and Merion plank road company are hereby authorized and required to open their road to a width not exceeding one hundred feet, commencing at the railroad bridge and proceeding northward as far as the county line, or so much in length of said road as the owners of property along said road shall release the said company from the payment of damages for the land occupied by the widening of the same. Road to be opened.

SECTION 5. That the provisions contained in sections nine and ten of an act approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-three, entitled "An Act relating to the Greenwich land and building association, and for other purposes," which said sections relate to the districts of Richmond, Penn and Kensington, be and are hereby extended to the district of Belmont, as fully and as effectually as if said sections were originally enacted for said district of Belmont, and the commissioners of said district of Belmont are hereby enjoined and required to carry out the provisions of said sections whenever the same may be considered necessary in said district. Extension of certain provisions.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 484.

## A SUPPLEMENT

To an act entitled "An Act relating to the County Prisons, et cetera, passed April eighth, one thousand eight hundred and fifty-one."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any owner or owners of adjoining wharves, docks, landings or river front, as referred to in section five, of the act to which this is a supplement, is hereby authorized to enter an appeal from a decision of the board of wardens to the court of common pleas of Philadelphia, sitting in equity; whereupon the said court shall have power and authority to hear and determine all matters in relation thereto.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 485.

## AN ACT

To relieve the property of the Philadelphia Society for the establishment and support of Charity Schools, the Pennsylvania Academy of the fine Arts, the Union Benevolent Society of Philadelphia, and the Friends' Asylum for the Insane near Frankford, Philadelphia county, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the estate and property of the Philadelphia Society for the establishment and support of Charity Schools, the Union Benevolent Society of Philadelphia, and the Friends' Asylum for the Insane near Frankford, Philadelphia county, be and the same is hereby relieved and exempted from taxation.

SECTION 2. That the Hall of the Pennsylvania Academy of fine Arts, now owned and occupied for the purposes of exhibition, be and the same is hereby exempted from taxation, together with the personal property held for exhibition by said Academy.

SECTION 3. That it shall be the duty of the board of managers of the society, for the support and establishment of charity schools, to communicate annually to the Superintendent of the common schools of the Commonwealth, a statement of the condition of the schools under the care of the said society.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 486.

## AN ACT

To consolidate the Treverton, Mahanoy and Susquehanna Railroad Company, and Susquehanna and Union Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Treverton, Mahanoy and Susquehanna railroad company, and Susquehanna and Union bridge company be, and they are hereby authorized and empowered to consolidate the capitals, interests, rights, privileges and franchises of the said two cor-



porations, under the title of the "Treverton and Susquehanna Railroad Company."

SECTION 2. That the said consolidated company shall have the power to purchase and hold such lands, in the township of Chapman, in Union county, adjoining the Pennsylvania canal, as may be requisite for depot grounds, engine houses, basin docks or other necessary facilities connected with or needful for the accommodation of the business of the company; that it shall be lawful for the president and managers of the said company, for the use of the said company, in the completion and equipment of the road and for the purposes aforesaid, to borrow money, not exceeding five hundred thousand dollars, and to issue the bonds of the company, therefor drawing interest, not exceeding seven per centum per annum, and secure the payment of the said bonds by a mortgage upon the property of said company, both real and personal and its franchises; and it shall be legal for said president and managers to sell such bonds at par or such other rate as may be deemed for the interests of said company: *Provided*, No bond issued shall be for a less amount than one hundred dollars.

Power to hold lands.

SECTION 3. That the president and managers of said company shall have full power, as under sections nine and ten of the charter of the Treverton, Mahanoy and Susquehanna railroad company, granted March twenty-second, one thousand eight hundred and fifty, and subject to same provisions to use and occupy so much of the island in the Susquehanna, over which it is intended their road-way shall be constructed as will be sufficient for the railroad tracks, and also for a road-way, not exceeding six rods in width, for the use of the traveled part of their bridge; this act shall take effect whenever there shall be filed in the office of the Secretary of the Commonwealth the assent of the shareholders of each of said companies to such consolidation.

To use a certain island in the Susquehanna river.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 487.

## A SUPPLEMENT

To the act incorporating the Mount Carbon and Port Carbon Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it may be lawful for the Mount Carbon and Port Carbon railroad*

company, to locate and construct any branch railroad or railroads leading from their main road, and not to exceed one mile in length, to any mines, furnaces, factories, warehouses, mills, railroads and landings, owned by any other incorporated company, or by individuals: *Provided*, That the toll on all coal and other commodities transported over the said branch railroad or railroads, shall not exceed three cents per ton per mile; and that all distances less than one-half mile on said branch railroad or railroads, shall be rated as one-half mile.

SECTION 2. That to enable the said company to carry out the intentions of this act, and also to enable them to provide and construct such improvements as may be required upon their road, it shall be lawful for the said company to increase their capital stock from time to time, as they may deem expedient: *Provided*, That not more than four thousand shares in the whole, of additional stock, shall be created under the provisions of this act: *And provided further*, That no additional stock shall be created under the provisions of this act, unless the said company shall, at an annual, general or other lawful meeting, have authorized the issue thereof; nor shall a certificate of any share of such additional stock be issued, until the sum of fifty dollars shall have been paid to the treasurer of said company, in such instalments as shall have been directed by the president and managers thereof.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 488.

## A SUPPLEMENT

To the act incorporating the town of Port Clinton into a borough, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the eleventh, twelfth, thirteenth, fourteenth and fifteenth sections of the act incorporating the town of Port Clinton into a borough, and for other purposes, approved the fifteenth day of April, Anno Domini, one thousand eight hundred and fifty, be and the same is hereby revived and extended for the period of two years from the passage of this act.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 489.

## A SUPPLEMENT

To an act entitled "An act relating to counties and townships, and county and township officers," approved April the fifteenth, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of proceedings under the fourteenth section of the act to which this is a supplement, for any of the purposes therein mentioned, the respective court shall direct a second commission or review, for the same purposes on the petition of a majority of the voters of the township or townships affected by said proceedings: *Provided,* That such petition shall be presented to the court at or before the second term thereof, after the final confirmation of the report of the first commission or review.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 490.

## AN ACT

Supplementary to an act of April fifth, one thousand eight hundred and forty-nine, entitled "An act to provide for the erection of a house of employment and support of the poor in the county of Westmoreland."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor of Westmoreland county, are hereby authorized to erect on the poor house farm in said county, a barn: *Provided,* A grand jury of said county shall first approve thereof.

SECTION 2. That the cost of the erection of said barn shall be paid out of the county treasury, according to estimates to be furnished by said directors to the county commissioners, and



to enable the said commissioner to pay therefor; they shall if necessary borrow any sum of money which may be required.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 491.

A N A C T

Relative to the Greenwich Land and Building Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Greenwich land and building association, to increase the number of their shares of stock in such manner as by them may be deemed expedient: Provided, That the increased number of shares hereby authorized shall be based upon the appreciated value of the land held by the said association and for improvements on the same, and shall not exceed twenty-five hundred: And provided also, That the said association may purchase and hold in fee simple in their corporate name, in addition to what the said association now holds, any number of acres of land not exceeding fifty, and also may grant, bargain or sell the same or any part thereof to their stockholders or others, in fee simple, with or without the reservation of ground rents, and in case any ground rents are so created may sell, assign or extinguish the same to any person or persons whatsoever.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 492.

## AN ACT

To incorporate the Welhella and Susquehanna Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Dr. E. Iverg, Isaac Hopper and W. H. Dittolf of Potter county; Alison White, D. R. Jackman and David Carskadden and A. C. Noyes of Clinton county; O. Watson, T. W. Lloyd, J. M. Green and Gates Wilcox of Lycoming county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the "Welhella and Susquehanna plank road company," with power to construct a road, part plank and part turnpike, or all plank and turnpike, from any point at or near Welhella, or at any point on Kittle creek, in the county of Potter, thence by the nearest and most practicable route to the West Branch of the Susquehanna river, in the county of Clinton, subject to all the provisions and restrictions, and with all the powers and privileges contained in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, except where provisions of the same may conflict with this act. Style. Subject to the provisions of certain act

SECTION 2. That the said company shall have the right to make use of the whole or any part of the public roads, if any, between the points aforesaid, and to locate their road upon the ground now occupied by such road or roads. To use public roads.

SECTION 3. That the capital stock shall consist of ten thousand dollars, divided into shares of twenty-five dollars each: Capital stock. *Provided,* That the said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road, and carry out the true intent and meaning of this act. Proviso.

SECTION 4. That in the event of any delay or inability of the said company to obtain the subscription of stock for the purpose of completing their road, it shall be lawful for said company to borrow any sum or sums of money in lieu thereof, not exceeding six thousand dollars, at any rate of interest not exceeding seven per centum per annum, and for security therefor to pledge the tolls receivable on said road, and to mortgage the said road and the corporate franchises thereof as may be agreed upon by the president and managers of said company and the person or persons lending or advancing such money, and to issue bonds therefor in any sums not less than one hundred dollars, and the said bonds may be converted into the stock of the company at par, at the option of the holder or the holders thereof, at any time prior to the bond falling due. Authority to borrow money

SECTION 5. That the said company shall have the right to make lateral or branch roads to intersect with the main road Right to make lateral or branch roads

Proviso.

hereby authorized: *Provided*, The same do not exceed five miles in length.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 493.

### A SUPPLEMENT

To an act, entitled "An act to incorporate the Altoona and Tyrone City Plank Road Company," approved the nineteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said company shall have the right to construct any portion of said road as a turnpike, that the officers of said company may deem proper, instead of plank, as required in the act to which this is a supplement; and also to form such connection with the Altoona and Clearfield plank road company, as the officers of the said company may agree upon.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 494.

## AN ACT

Supplementary to an act incorporating the Allegheny City and Freeport Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That* the seventh section of the act incorporating the Allegheny City and Freeport railroad company, passed on the twenty-eighth day of March, Anno Domini, one thousand eight hundred and fifty-four, shall not be so construed as to authorize any municipal corporation to subscribe to the stock of said railroad company an amount exceeding ten per centum of the assessed valuation of said corporation: *Provided, That* previous to such subscription being made by any municipal corporation, that it shall be referred to a vote of the people composing such municipal corporation and such subscription be authorized by them.

SECTION 2. That at any time hereafter, when the president and directors, or a majority of them may deem proper, the said company is hereby authorized to extend their road from the Great Western iron works to the borough of Franklin, in Venango county, subject to all the restrictions and regulations provided for in the act to which this is a supplement.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 495.

## AN ACT

To review the State road from Mercers to Harmony.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James A. Leach, of Mercer county, Michael Jordon, of Lawrence county, and Major William H. Thompson, of Butler county, *Commissioners to review certain road.* be and they are hereby appointed commissioners to review the

State road leading from the south end of Erie street, in the borough of Mercer, by way of Leesburg, Mercer county, Harlansburg, Lawrence county, Portersville and Middle Lancaster, in Butler county, to the bridge across the Connoquenessing creek, at the borough of Harmony, in Butler county, connecting at that point with the Perrysville and Zelienople plank road, locating the said road on the easiest and most practicable route, having reference to distance, public convenience and cost of construction, having due regard to private property, et cetera, and touching at the points above mentioned.

Duties of commissioners.

SECTION 2. That it shall be the duty of the said commissioners or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties in this act with impartiality, carefully to review the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, at an elevation of not more than four degrees from the horizon, (to be of the same width of the present road,) adopting so far as practicable the present location of the road mentioned in section first of this act, and that they shall clearly and distinctly mark the road in such a manner as shall render the route agreed upon readily found by the supervisors, and for fulfilling the duties enjoined by this act, the commissioners shall be allowed the sum of one dollar and twenty-five cents per day, for every day they shall be necessarily employed in performing the duties assigned by this act, and the said commissioners are hereby authorized to employ one surveyor, at one dollar and fifty cents per day, and two chain carriers, at a sum not exceeding one dollar per diem.

Accounts.

SECTION 3. That the commissioners shall draw on the commissioners of the counties, through which the said road shall pass, who shall adjust the accounts of the commissioners, surveyor and chain carriers, and pay them as other accounts by orders on the treasurer are paid.

Meetings.

SECTION 4. That said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them shall agree, and complete the location of said road as soon as practicable, and if vacancy shall occur by resignation or otherwise, it shall be filled by a majority of said commissioners.

Drafts to be made out and filed

SECTION 5. The said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon the courses and distances, and places, waters, county and township lines, with such other matter as may serve for explanation, one copy whereof deposited in the office of the secretary of the Commonwealth, on or before the first day of September next, and one copy in the office of the clerk of the court of quarter sessions of the respective counties through which said road may pass on the time aforesaid, or as much sooner as practicable, and from thenceforth the said road shall be a public highway, and shall be opened and repaired as other roads laid out by the courts are made and repaired.

Duties of supervisors.

SECTION 6. That it shall be the duty of the supervisors of the several townships through which said road may pass, upon notice given to proceed at once to open and make the said road as other roads are made, and that said commissioners shall have power to vacate any road or part thereof as may be rendered useless by this act, or shall have power to change and re-locate

part of such road between the points mentioned in this act as may be rendered necessary.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 496.

A SUPPLEMENT

To an act to incorporate the Easton Gas Company, approved March fourteen, one thousand eight hundred and fifty, and the supplement thereto, approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the power and authority, rights and privileges of the Easton gas company, under their act of incorporation, approved the fourteenth day of March, Anno Domini, one thousand eight hundred and fifty, and the supplement thereto, approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-one, shall be and hereby are extended to the township of Williams and borough of South Easton, and that whenever it may be deemed expedient to the said, the Easton gas company. they may cross the river Lehigh with gas mains and pipes, and introduce the same into the township of Williams and borough of South Easton, and supply with gas light such individuals, corporations or companies residing or doing business therein, as may desire the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 497.

## AN ACT

For the relief of Alice Williams, Jane Jones and Mrs. Echhoff.

Alice Williams

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the State Treasurer be and he is hereby authorized and required to pay to Alice Williams, of Chester county, mother of John Williams, who was killed while in the employ of the State, on the Columbia and Philadelphia railroad, a gratuity of two hundred dollars.

Jane Jones

SECTION 2. That the State Treasurer be and he is hereby authorized and required to pay to Jane Jones, of Chester county, widow of James Jones, a stone mason, who was killed while in the employ of the State, on the Columbia and Philadelphia railroad, a gratuity of two hundred dollars.

Wm Echhoff

SECTION 3. That the State Treasurer be and he is hereby authorized and required to pay to the mother of William Echhoff, a workman, who was killed while in the employ of the State, on the Columbia and Philadelphia railroad, a gratuity of two hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 498.

## AN ACT

For the relief of Lydia Tanner, widow of a soldier of the Indian War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the State Treasurer be and he is hereby authorized and directed to pay to Lydia Tanner, of Crawford county, widow of a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of July, Anno Domini, one thousand eight hun-

dred and fifty-four, and payable half-yearly thereafter on the first of January and July.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 499.

## A FURTHER SUPPLEMENT

To an act incorporating the Mountain Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mountain coal company is hereby authorized to borrow such sum of money as it may deem necessary to complete the road authorized by the supplement of April sixth, one thousand eight hundred and fifty-four, and to carry out the true intent of its act of incorporation, and to issue bonds therefor, with interest, at a rate not exceeding seven per centum per annum, secured by mortgage or otherwise, upon the property of said company, said bonds to be convertible into stock at the pleasure of the holder or holders of the same: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

SECTION 2. That the third section of said supplement of April sixth, one thousand eight hundred and fifty-four, shall be construed to authorize the corporators therein named to organize said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 500.

## AN ACT

To incorporate the Cambridge Plank Road Company.

Commissioners.

Style.

Subject to the  
provisions of cer-  
tain act.

Capital stock.

Proviso.

Subscription.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alexander Hoag, A. B. Ross, John H. Gray, of Crawford county, and Alva Robinson, James H. Campbell, E. W. Gerrish, George Gillispy, William A. Laughrey, of Erie county, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the "Cambridge plank road company," to locate and construct a plank road from the borough of Cambridge northwardly, so as to connect with the Meadville and Edenboro' plank road at a point at or north of Simling's; and also westwardly to or near the borough of Venango, and to connect with said Meadville and Edenboro' plank road company, subject to all the provisions, rights and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company, shall consist of five hundred shares of twenty-five dollars per share: *Provided,* That the said company may, from time to time, at a meeting of the stockholders for that purpose, increase the capital stock to such an amount as, in their opinion, may be required to complete the same, according to the true intent and meaning of this act.

SECTION 3. That it shall and may be lawful for the Meadville and Edenboro', or Erie and Edenboro' plank road company, to subscribe in the capital stock of the said Cambridge plank road company, any amount not exceeding ten per centum upon the capital stock of said companies respectively; and it shall be lawful for said Cambridge plank road company to receive tolls on so much of their said road as may be completed, in connection with said Meadville and Edenboro' plank road; but this provision shall not be so construed, as to dispense with the view, report and certificate of the Governor, whenever five miles shall be completed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



## No. 501.

## A SUPPLEMENT

To an act entitled "An act authorizing George Arcularius to convey certain Real Estate, et cetera," approved April second, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and singular the authority, powers, duties and obligations granted by the Legislature of this State to the said George Arcularius, by the act to which this is a supplement, to sell and convey certain lands in Clearfield county to Barrett and Kratzer, be extended to all the lands remaining unsold in the deeds in said act mentioned; and George Arcularius having departed this life, all and singular the authority, powers and trusts granted to him by said act, are hereby vested in his executors in trust so as well as the power to sell and convey all the lands in said deeds mentioned, not conveyed by said George Arcularius in his life time: And all the provisions of the sixteenth section of said act, are hereby declared applicable to the conveyance to be made by the executors of George Arcularius, deceased, as successors in trust for all the lands in said deed mentioned.

Provisions of certain act extended

SECTION 2. That Frederick W. Gessenhainer and Phæbe Arcularius, executors of George Arcularius, deceased, are hereby appointed trustees and successors of said George Arcularius, deceased, late of the city of New York, and as such are hereby authorized and empowered to sell, dispose and convey all those tracts of lands in Clearfield county, State of Pennsylvania, conveyed to said George Arcularius as trustee by deed, recorded in liber I, page sixty-one, in the recorder's office in and for Clearfield county, and by deed of confirmation recorded in said office in liber I, page sixty-two, et cetera, and the said deeds are hereby declared to be valid for all the purposes therein mentioned, and the powers therein contained are hereby vested in said Frederick W. Gessenhainer and Phæbe Arcularius, and are declared to be full and ample to authorize them to sell, dispose and convey the title to said lands as fully and absolutely as if all the parties in interest were present, legally competent, and were to join in said deed of conveyance so to be made by them as trustees, and shall be deemed to take and pass the title of all parties in interest having any claim to said land as members of the Allegheny coal company, or by, from or under any of them or their heirs, to have and to hold the same to the purchaser or purchasers thereof, their heirs and assigns for ever, and such purchaser or purchasers shall take and hold the said lands discharged from all claim of the original owners or their heirs, whether minors or of full age, who after the deed of trust aforesaid executed by the Allegheny coal company under their corporate seal, and after the dissolution of said company, became tenants in common or otherwise hold said lands: *Provided,* That the said Frederick W. Gessenhainer and Phæbe Arcularius shall not by reason of this act, be discharged from any liability to the said owners or

Authority of trustees of George Arcularius to sell lands.

Proviso.

tenants in common or cestui que trusts, but shall at all times be liable after the payment of necessary expenses, taxes paid, et cetera, et cetera, to account to the parties interested for the proceeds realized from the sale of lands, according to the terms of the trust deed aforesaid.

This act not to  
affect certain ti-  
tles

SECTION 3. That nothing herein contained shall affect the title to the lands conveyed by said George Arcularius in his lifetime, pursuant to the power granted to him by an act of the Legislature, passed April, one thousand eight hundred and forty-nine, and in case of the death of either of the trustees hereby appointed, the successor shall be vested with all the powers and duties hereby granted to them jointly.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 502.

## A SUPPLEMENT

To the act incorporating the Scranton Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever the parties cannot agree upon the damages claimed for land or materials taken by the Scranton gas and water company in the prosecution of their work, the said company may tender a bond and proceed in all respects as provided in the second section of the act entitled "A supplement to the act incorporating the Pennsylvania coal company," approved seventh March, one thousand eight hundred and forty-nine.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 503.

## AN ACT

Repealing so much of an act as relates to Jefferson county, entitled "An act to incorporate the Frankford and Germantown Turnpike Road Company, in the county of Philadelphia, to lay out a State road in the counties of Armstrong and Jefferson," passed eighteenth April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, that so much of the sixth section of an act entitled "An act to incorporate the Frankford and Germantown turnpike road company, in the county of Philadelphia, to lay out a State road in the counties of Armstrong and Jefferson, and for other purposes," passed the eighteenth of April, Anno Domini one thousand eight hundred and fifty-three, as relates to Jefferson county, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 504.

## AN ACT

Relating to Releases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acts heretofore passed supplementary to an act entitled "An act for the acknowledging and recording of deeds," shall be taken and construed to include and authorize the recording of any release of a legacy by writing, signed, acknowledged or proved in manner to authorize the recording of any other writing or deed, although there may be no subscribing witnesses thereunto, or but one such witness, and all releases heretofore signed, executed and delivered which would be comprised in said acts are hereby construed, may be recorded, or if recorded, shall be taken as validly recorded and as such be received in evidence: *Pro-*



*vided*, This act shall not affect any judicial decision heretofore rendered, or to be used in any case now pending in this Commonwealth.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 505.

### AN ACT

To narrow a part of Ninth Street, in the District of Penn, in the County of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of Ninth street, in the district of Penn, in the county of Philadelphia, as is laid down in the plan of said district, lying between Jefferson street and Columbia avenue, be and the same is hereby reduced, from the width of seventy feet to the width of fifty feet, by vacating ten feet on each side of said street, and that the ten feet of the soil so taken from the east side of said street, shall be and the same is hereby vested in fee simple, in the respective owners of the ground adjoining thereto and fronting upon the east line of said street, and that the ten feet of the soil so taken from the west side of said street shall be and the same is hereby vested in fee simple, in the respective owners of the ground adjoining thereto and fronting upon the west line of said street: *Provided*, Said reduction of width shall be first approved of by the commissioners of the district of Penn.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 506.

## AN ACT

For the relief of Jacob Peters, and others, trading under the name of the Phoenix Line Company.

WHEREAS, Jacob Peters, Anthony E. Roberts, Alexander Wilson and others, trading under the name of the Phoenix line company, and engaged in the transportation of passengers over the Philadelphia and Columbia railroad, were, by a verdict rendered in the district court of Philadelphia on the thirteenth of November, one thousand eight hundred and fifty-one, subjected to damages, in the sum of two thousand seven hundred and fifty dollars, at the suit of Susan Ryland, for injuries sustained in a collision on said road, near Paoli, on the twenty-third of August, one thousand eight hundred and fifty, whereby the car of said company was run into by a locomotive belonging to the Commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the State Treasurer be and he is hereby authorized and directed to pay Jacob Peters, Anthony E. Roberts and Alexander Wilson, the sum of twenty-seven hundred and fifty dollars, which shall be in full for all claims the said Phoenix line company may have against the Commonwealth on account of said collision.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 507.

## A FURTHER SUPPLEMENT

To the act incorporating the Pittsburgh and Connelsville Railroad Company.

WHEREAS, By an act of Assembly of the Commonwealth of Pennsylvania, approved the eighteenth day of April, one thousand eight hundred and forty-three, it is amongst other things: provided, "That any city, borough or incorporated company, shall

have authority to subscribe to the capital stock of the Pittsburgh and Connelsville railroad company ; therefore,"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of Assembly, passed the twelfth day of April, one thousand eight hundred and fifty-three, authorizing the cities of Pittsburgh and Allegheny, and the boroughs of West Newton and Connelsville, to subscribe to the stock of the Pittsburgh and Connelsville railroad company, be and the same are hereby extended to the boroughs of M'Keesport and Birmingham, in the county of Allegheny, and that the said company is hereby authorized and empowered to sell any bonds held by it at any rate, the amount thereof shall not be less than would make them at par, at seven per centum interest.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

WE certify that the bill entitled "A further supplement to the act incorporating the Pittsburgh and Connelsville railroad company," was presented to the Governor on the thirteenth of April, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted,) after it had been presented to him, whereupon it has, agreeably to the constitution of this Commonwealth become a law in like manner as if he had signed it.

WM. JACK,

*Clerk of the House of Representatives.*

THOMAS A. MAGUIRE,

*Clerk of the Senate.*

Harrisburg, April 26, 1854.

No. 508.

## AN ACT

Authorizing the Commissioners of Washington county to subscribe fifty thousand dollars to the capital stock of the Pittsburgh and Steubenville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the recommendation of one grand jury the commissioners of the county of Washington, or a majority of them, be and they are hereby authorized to subscribe not exceeding fifty thousand dollars, to the capital stock of the Pittsburgh and Steubenville



railroad company, in the name and in behalf of said county, and to borrow money to pay therefor, and to make provisions for the payment of the principal and interest of the money so borrowed as in other cases of loans to corporations.

SECTION 2. That the commissioners of the said county, or a majority of them, may issue certificates of loan or bonds in the name of said county, redeemable in not less than ten, nor more than twenty-five years, bearing an interest of six per centum payable semi-annually, which shall be transferrable as may be directed by said commissioners, or a majority of them, and the said certificates of loans or bonds shall be received as cash by the said railroad company in payment of instalments on shares of stock subscribed for by said county, and the said company shall also pay or provide for the payment of the interest accruing upon said certificates of loans or bonds, until the said railroad shall be completed, and the said county may be represented at elections and other meetings of said company, by agents duly authorized and appointed by resolutions of the board of commissioners of said county: *Provided*, That no certificate of loan or bonds shall be issued by the commissioners of said county for a less sum than one hundred dollars, and that the said Pittsburgh and Steubenville railroad company be authorized to guarantee the bonds or certificates of loan issued under this act.

SECTION 3. That the amount of subscription hereby authorized shall be applied to the construction of the Florence branch of the said railroad as far as shall be found necessary, and the entire amount so subscribed shall be expended in the said county of Washington.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

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We do hereby certify that the bill entitled "An Act authorizing the commissioners of Washington county to subscribe fifty thousand dollars to the capital stock of the Pittsburgh and Steubenville railroad company," was presented to the Governor on the fifth day of April, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him, wherefore it has, agreeably to the constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

*Clerk of the House of Representatives.*

THOMAS A. MAGUIRE,

*Clerk of the Senate.*

Harrisburg, April 26, 1854.

No. 509.

## AN ACT

Relative to Culverts, in the District of Penn, Philadelphia County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Commissioners of the district of Penn, by a majority of the board, be and they are hereby authorized to complete the culvert in Thompson street, and to provide means for the payment of the same; and that all allotments of said work already made, be and they are hereby confirmed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 510.

## AN ACT

To provide for the establishment and government of a House of Correction and Employment for the City of Philadelphia.

House of correction established.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* there shall be established a house of correction and employment for the city of Philadelphia, which house of correction shall be under the charge and management of a board of managers, to be appointed as hereinafter designated.

Under control and management of twelve managers.

SECTION 2. That the said house of correction shall be under the control and management of twelve managers, to be appointed on the third Monday in July next ensuing after the passage of this act, the said managers to be appointed as follows, viz: four of said managers shall be appointed by the judges of the court of quarter sessions of the peace of the city and county of Philadelphia, four by the judges of the district court of the city and county of Philadelphia, four by the mayor and aldermen of the city of Philadelphia; the managers so appointed to serve for the terms hereinafter provided for, without any pecuniary compensation for their services: That

the said managers shall, on the first Monday of the month succeeding their appointment, meet at four o'clock in the afternoon, at the county court house, and elect a president and secretary, to serve for the ensuing year; and they shall also divide themselves into four classes, of three members each, the first class of whom shall serve for one year, the second for two years, the third for three years, and the fourth for four years; and whenever a vacancy shall exist in said board, by death, resignation or otherwise, the same shall be supplied by the court who appointed the individual who has caused the vacancy, or the mayor and alderman, as the case may be, upon notice of such vacancy from the board of said managers; and that thereafter the said board of managers shall be a body politic, incorporate in law, under the style and title of the Philadelphia House of Correction and Employment, and under that title shall have all the rights and also be subject to all the liabilities of corporations, and may make any by-laws they may deem expedient for their own government or the government of the said house of correction and employment: *Provided*, The same shall not be inconsistent with the constitution and laws of the United States or of this Commonwealth: *And provided further*, That not less than seven managers shall form a quorum.

SECTION 3. That as early as practicable after the appointment of the aforesaid managers, they shall prepare, or cause to be prepared, plans and estimates for the erection of suitable buildings on and within the farm land now occupied by the Philadelphia and Blockley alms house, or any other site which the aforesaid managers, by and with the consent of the select and common councils of the city of Philadelphia, as consolidated and extended by the act of February second, one thousand eight hundred and fifty-four, may deem most appropriate or conducive to the interest of the said institution, and of the citizens generally; said site not to exceed fifty acres in extent: *Provided*, That the cost of the site and buildings, shall not exceed one hundred thousand dollars.

SECTION 4. That so soon as the site, plans and estimates are approved, as aforesaid, the managers appointed under the last foregoing section, shall certify the same to the mayor and councils of the city of Philadelphia, and it shall be the duty of the said councils to borrow, or cause to be borrowed upon loan, at a rate of interest not exceeding six per cent. per annum, redeemable after thirty-five years, a sufficient sum of money to defray the expense of said site and buildings; and it shall be the duty of said city authorities to assess the amount necessary to pay the annual interest of said loan, and one per cent. per annum; which one per cent. shall form a sinking fund for the redemption of said loan; and the moneys thus raised, shall be known as the fund for the use of the house of correction and employment of the city of Philadelphia, and shall not be applied to any other purpose whatsoever, than such as hereinbefore designated.

SECTION 5. That as early as practicable hereafter, after a compliance with the requirements contained in the preceding section, the said managers shall proceed with the moneys procured as aforesaid, to purchase the site chosen as aforesaid, and to erect and complete thereupon the necessary buildings, according to the plans approved as aforesaid, the title to the whole to be vested in the city of Philadelphia; and as soon as the said

Plans for buildings to be prepared.

Sites, &c., to be certified to the mayor and councils.

Application of money.



buildings shall be completed and ready for occupation, they shall be delivered by the said city councils, into the custody and control of the board of managers as hereinbefore provided, by whom, at the earliest practicable time, the fact of such delivery shall be certified to the said court of quarter sessions, and to the board of managers of the Blockley alms house; which court and managers respectively, shall thereafter commit to the said house of correction and employment, such able bodied paupers and vagrants as may have been committed, or sentenced to be confined in the county prison or Blockley alms house, for a period of less than three months; and it shall be the duty of the said judges of the court of quarter sessions, and inspectors of the Philadelphia county prison, to commit to the said house of correction and employment, all vagrants, habitual drunkards and disorderly persons, whom they may deem best to so confine: and it shall be the duty of the managers of the Blockley alms house to transfer, within twenty-four hours after entrance into said alms house, all able bodied paupers, except such as may be necessary to employ in the service of said alms house.

Power to commit.

SECTION 6. That the managers of the house of correction, or any one of them, may commit thereto any and all persons who are willing to be so committed; and the mayor of the city of Philadelphia, the inspectors of the county prison, and all committing magistrates in the city and county of Philadelphia, may and they are hereby authorized to commit to said house of correction and employment, for any period of time not less than three, nor more than twelve months, all or any person or persons who, under existing laws, are liable to be committed to places of confinement, who shall apply to them for such purpose: all persons that may hereafter be convicted, according to the existing laws of this Commonwealth, before the mayor recorder, or any alderman of the city of Philadelphia, as a vagrant or disorderly person, shall be sentenced to suffer confinement in the said house of correction and employment, for the terms hereinafter mentioned, and to be fed, clothed and treated, in the manner hereinafter mentioned.

Superintendent to be elected.

SECTION 7. There shall be elected annually at the first stated meeting of the board of managers, or at any other time if required, a person who shall be known and designated by the name and title of the superintendent of the Philadelphia house of correction and employment, who shall have the control and superintendence of the said house of correction and employment; shall hold his office during the pleasure of the board of managers, and shall receive such compensation as they shall deem fit: the said board of managers shall elect such other officers, keepers and servants as may be necessary for the management of the institution, but no person shall be elected as keeper, assistant or superintendent, who is not expert in some mechanical or agricultural pursuit.

Employment of persons committed.

SECTION 8. That every person in the custody of the said board of managers, not disqualified by sickness or casualty, shall be employed by the superintendent in, quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prisons, alms-house or other public institutions of the State or city, and at such other labor as shall upon trial be found to be profitable to the institution and suitable to its proper discipline, and to the health and capacities of the inmates.

SECTION 9. That if any person committed to the said house of correction and employment according to law, shall refuse or neglect to perform the work assigned to him or her, it shall be the duty of the superintendent to punish such person by close confinement on a diet of bread and water, only for such time as may be deemed necessary, which refusal and punishment shall be forthwith reported to the managers, and shall by the secretary of the board be recorded in a book to be kept for that purpose; it shall be the duty of the physician of the institution to visit any person so confined for punishment at least once in each and every twenty-four hours, and he shall record in a book to be kept for that purpose, his opinion upon the health of the person confined; upon his opinion being given of said confinement acting injuriously thereon, the said confinement or diet shall be altered in such manner as he shall direct.

SECTION 10. That any inmate of said institution who shall wilfully break, destroy or injure any material, machinery, tool, property or thing belonging to the said institution, or shall escape therefrom shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of record of the county of Philadelphia, may be punished by imprisonment and hard labor for not less than one month or more than one year.

Pnealty for injuries.

SECTION 11. That it shall be the duty of the said superintendent to open an account in a book to be kept for the purpose, with each and every person committed to said institution, charging him or her with all the expenses incurred in the board and clothing, and crediting him or her a fair and reasonable compensation for the labor performed by him or her; if at the expiration of the term of commitment of any person it shall appear that the proceeds of his or or her labor are more than sufficient to defray the cost of board and maintenance, and the materials furnished to such person, together with five per cent. thereon, the balance if any shall be paid to him or her in money, but the board of inspectors may at any time during the confinement of any person, when it shall appear that the proceeds of his or her labor are more than sufficient to pay the costs and charges aforesaid, order the surplus or any part thereof to be paid over for the use and maintenance of his or her family.

Accounts of each person committed to be kept

SECTION 12. The superintendent shall make a monthly requisition on the board of managers, for all articles which he shall deem necessary for the said institution, and such as shall be approved by them shall be purchased, the superintendent shall once in every month report to the board of managers the number of persons committed, discharged, sick, dead, or remaining in the institution, also the quantity and kind of labor performed, and the board of inspectors shall transmit annually to the Legislature of the State, a condensed statement of the affairs of the institution.

Monthly requisitions.

SECTION 13. For any deficiency in furnishing, keeping and maintaining said houses of correction and employment in conformity with the provisions of this act, the managers are authorized to apply to the said city councils, for such sum or sums as shall be necessary, and if it shall appear that such application is reasonable, and that the accounts of said managers have been properly kept, the said city councils shall direct an order to be drawn on the treasurer of said city, for such sum or sums as by them may be deemed necessary and proper.

Deficiency of means, how supplied.



Subject to provisions of certain act.

SECTION 14. The said managers, superintendent and officers of said house of correction and employment, shall be subject to all the restrictions, liabilities and penalties of the fifty-first section of the act supplementary to the act to incorporate the city of Philadelphia, passed the second day of February, eighteen hundred and fifty-four.

Commitments.

SECTION 15. Every person committed to the house of correction and employment, of the city of Philadelphia, shall for the first time be committed for a term of not less than three month, nor more than six months; for the second time shall be committed for a term of not less than six months, nor more than nine months; for the third time for a term of not less than nine, nor more than twelve months; and for the fourth time or at any time thereafter, for a term of not more nor less than twelve months.

Writ of habeas corpus.

SECTION 16. Any person committed to the said house of correction and employment, by any other authority than the court of quarter sessions of the peace of the city and county of Philadelphia, may apply for a writ of habeas corpus to any judge of the said court, and upon return thereof, if such judge shall deem there is sufficient or reasonable ground for granting the same, he shall enter upon a rehearing of the evidence and either discharge the individual, modify or confirm the commitment.

Powers of managers.

SECTION 17. Should said managers deem it advisable, it shall be lawful for them to rent, lease or otherwise contract for the use and occupancy of any suitable building or buildings to be occupied in the manner and for the purposes by this bill defined, and continue to use and occupy the same until such time as the building hereby authorized to be erected, shall have been completed and ready for occupancy as aforesaid: *Provided*, That the appointment of said managers and the organization of this institution, shall not take place until after the second Monday in July, A. D., one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 511.

## A FURTHER SUPPLEMENT

To the several acts relative to the Union Canal Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all persons acting in a fiduciary capacity shall be and they are*



hereby authorized, when they deem it for the interest of the trust they represent, to exchange for the new stock or loan of the Union canal company of Pennsylvania, created or to be created for the purpose of enlarging their canal, any stock or loan in said company which they hold or represent, or to subscribe to, or purchase said new stock or loan, and the terms of such exchange or subscription may be such as can be mutually agreed upon, and the proviso to the section of the act of April thirteenth, one thousand eight hundred and forty-six, limiting the rate of interest and discount to be paid by said company shall be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 512.

## A FURTHER SUPPLEMENT

To the Act incorporating the City of Carbondale.

WHEREAS, At the last election held in the city of Carbondale, no person was elected to the office of Treasurer, by reason of a tie vote: *And whereas*, under existing laws, no provision is made for such emergency; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the court of quarter sessions of said city be and is hereby empowered to appoint one person for treasurer of said city, for the present year, and hereafter, in all cases of a failure to elect or a vacancy by death, or otherwise, in said city, of any officer or officers, the said court shall have power to appoint a suitable person or persons to fill such vacancy or vacancies.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—This twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 513.

## A N A C T .

Authorizing the Burgess and Town Council of Conemaugh to extend the limits of said Borough

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Conemaugh, Cambria county, are hereby authorized to extend the borough limits of said borough so as to include the residence of George W. Early.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 514.

## A N A C T

Relating to Licenses in certain townships, and in the borough of Lawrenceville, in Tioga county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall not be lawful for any person, except regularly licensed inn-keepers, to sell, within the boundaries of the borough of Lawrenceville, or in the townships of Lawrence, Bloss, Charleston and Delmar, in the county of Tioga, any vinous, malt or spirituous liquors, unless he, she, or they shall have first obtained a license therefor, from the court of quarter sessions of the peace in said county: Provided, That nothing in this act shall exempt any seller of said liquors, upon obtaining a license as aforesaid, from the payment of the mercantile tax to the Commonwealth, as is provided by existing laws.*

SECTION 2. That any person violating the provisions of this act may be prosecuted by indictment in the court of quarter sessions of the peace in said county, and, upon conviction, be sentenced to imprisonment in the jail of said county, for a term

not exceeding three months, and to pay a fine not exceeding one hundred dollars, at the discretion of the court, one-half of said fine to the use of the prosecutor, and the other half to the township or borough wherein the offence was committed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 515.

## AN ACT

Providing for Recording the Ordinances of the Borough of Birmingham, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the eleventh section of an act entitled "A further supplement to an act entitled 'An act to erect Norristown, in Montgomery county, into a borough, and for other purposes,'" approved the fourteenth day of April, one thousand eight hundred and twenty-eight, as requires a copy of the ordinances of of the borough of Birmingham, in the county of Allegheny, to be set up at three of the most public places in said borough, be and the same is hereby repealed, and all ordinances of the said borough now in force or hereafter enacted, shall be recorded in a book or books to be kept at the office of the burgess, which shall be free to public inspection, and no ordinance hereafter to be passed by the town council of said borough, shall be carried into operation in less than two weeks after the same shall be so recorded.

SECTION 2. That the burgess of said borough shall deliver to any person who may apply for the same, for the like fee that recorders of deeds are now entitled to receive, a true copy of any ordinance recorded in his office, certified by his hand and the seal of the said borough, which certified copy shall be evidence in all cases now pending or hereafter to be brought, where the original ordinance would be evidence.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 516.

## A SUPPLEMENT

To an act, entitled "An act relative to the Spring Garden Health Insurance company, of Philadelphia county," passed February twelfth, one thousand eight hundred and fifty.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the "North American mutual life and health insurance company" shall, and it is hereby declared to be changed to the name of the Consolidated Insurance company of the city of Philadelphia.

Vacancies

SECTION 2. That the directors now in office shall have full power to fill all vacancies in their number, until the annual election, on the first Monday of May, one thousand eight hundred and fifty-four, and hereafter the directors shall hold their places for one year, and until their successors be duly chosen.

Powers.

SECTION 3. That the said Consolidated insurance company of the city of Philadelphia, shall have all the power and privileges, and be subject to all the conditions and restrictions now existing, in regard to the North American mutual life and health insurance company; and it shall and may be lawful for the directors to receive additional subscriptions to the capital stock, until the same shall have been fully subscribed and paid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 517.

## AN ACT

Authorizing Francis Hoops and Harrison Mendenhall, trustees of the New Brighton House Company, to make a deed of conveyance.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis Hoops and Harrison Mendenhall, trustees of New Brighton house company, of New Brighton, Pennsylvania, oth-

erwise known as the New Brighton hotel company, are hereby authorized as trustees of said association, in pursuance of existing or executed contracts made by and between the managers of said company with Timothy B. White, for the building or erection of said hotel or work thereon, to make a deed of conveyance to said Timothy B. White, his heirs or assigns, or other person or persons, of all the right, title and interest of the stockholders of said association in and to lot number three hundred and forty-seven, (347) in the borough of New Brighton, bounded north by lot number three hundred and forty-five, east by Second street, south by lot three hundred and forty-nine, and west by Front street, as is marked on plot of said town.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 518.

## AN ACT

To construe the act of second of February, Anno Domini, one thousand eight hundred and fifty-four, entitled "A further supplement to the act, entitled 'An act to incorporate the city of Philadelphia.'"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it was the true intent and meaning of the Legislature, in and by the thirty-seventh section of the said act, and such is hereby declared to be the construction thereof, that the estates, incomes and property therein mentioned should be vested in the corporation of the city of Philadelphia, and enjoyed by said city in possession on the organization of the councils of said city, to be elected in June next, and that in the meantime the same should be preserved and maintained, uninjured by the existing municipal corporations in whom the said estates, income and property were then vested, in special trust for the new city government and for the benefit of all the inhabitants thereof.

*Construction of certain section.*

SECTION 2. It shall not be lawful for the present corporation of the city of Philadelphia, to tear down, demolish or otherwise injure any real estate, nor any market houses to which said corporation was in any manner entitled at the time of the passage of the said act.

*City corporation not to tear down market houses, &c.*

SECTION 3. It shall be lawful for the supreme court or any judge thereof in vacation, or the court of common pleas or dis-

*Relief.*

strict court of the city and county of Philadelphia, to give relief on the application of any tax payer of said city or county, by injunction for any violation of the said act of second of February, one thousand eight hundred and fifty-four, or this act.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 519.

# AN ACT

To legitimate George Humphrey Stump and Abraham Harrison Stump.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That George Humphrey Stump and Abraham Harrison Stump, illegitimate sons and only children of Abraham Stump and Jane his wife, of the township of St. Thomas, in the county of Franklin, who were born before the marriage of their said named parents, shall have and enjoy all the rights, privileges, benefits and advantages of legitimate children; and they shall be capable in law to inherit and transmit any estate whatever, as fully and completely, to all intents and purposes, as if they had been born in lawful wedlock.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER



No. 520.

## A N A C T .

To incorporate the Shamokin Collegiate Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a literary institution for the education of youth in useful arts, sciences and literature shall be established at Shamokin, in Northumberland county, under the auspices of the Susquehanna conference of the East Pennsylvania Synod of the Evangelical Lutheran church, by the name and style of the "Shamokin Collegiate Institute."

Literary institution established.

SECTION 2. The first trustees of said institution shall be Kimber Cleaver, William Fageley, William Atwater, Joseph Zuern, Charles J. Ehrehart, John Hursh, Jonas L. Gilger, Jacob Hass, and Daniel Yost, who, and their successors to be elected as hereinafter directed, shall be a body corporate and politic, by the name, style and title of the "Shamokin Collegiate Institute," and by the same name shall have perpetual succession, and be able to sue and be sued, and shall be capable in law and equity to take, hold and dispose of, and for the use of said institution, lands, tenements, money, goods and chattels of whatever kind, and to erect such public buildings as may be necessary, and generally to do all things for the well being of said institution which such corporations may rightfully do: *Provided,* That the yearly income of said real and personal estate shall not exceed five thousand dollars.

Trustees.

Style.

Privileges.

Proviso.

SECTION 3. That the said Shamokin collegiate institute shall have full power to use one common seal, and to alter and renew the same at pleasure.

Seal.

SECTION 4. That the said trustees shall hold their said office of trustee, as aforesaid, until the first Monday of May next, or until their successors shall have been duly elected and qualified.

Term of office.

SECTION 5. That said trustees and their successors, at least five of whom shall be members of the Lutheran church, and any five of whom shall constitute a quorum, shall, by the style and title aforesaid, have power to make and enact ordinances and by-laws for the government of said corporation, to appoint teachers, and remove them, and fix their salaries, to regulate their times of meeting, and the mode of calling special meetings to elect from their number annually on the first Monday of June, a president, secretary and treasurer, the latter of whom shall give bond in such manner and for such amount as the by-laws may require, shall elect at such times as they may deem expedient all other officers necessary and proper for the government of the affairs of the corporation, define the duties and terms of service of said officers, and determine all matters and things necessary to the good order and well being of the same.

Powers and duties.

SECTION 6. That the capital stock of said corporation shall consist of one hundred and twenty shares, with the privilege of increasing the same to the number of one thousand shares, of

Capital stock.

twenty-five dollars each, payable at such times as may be agreed upon by the board of trustees, and the president and treasurer of said corporation shall make out certificates of stock, signed by them, and sealed with their corporate seal, and deliver one such certificate to each stockholder for every share by him or her held on his or her paying to the treasurer the amount of such share, which certificates shall entitle each stockholder to one vote for each share of stock held by him or her, and shall be transferrable in person, or by attorney, on the books of the said company, in which shall be kept a record of the names of the stockholders, with the number of shares subscribed and paid by each set opposite thereto.

Election of trustees.

SECTION 7. That the stockholders of said corporation shall upon the first Monday of May next, at the town of Shamokin, elect, by ballot, nine trustees, who shall hold their first meeting within ten days thereafter, and shall then divide themselves by lot into three equal classes, the seats of the first class shall be vacated at the expiration of one year from that time, of the second class at the expiration of the second year from said date, and of the third class from the expiration of the third year from said date, so that one-third may be chosen annually, and the said stockholders shall annually thereafter, on the first Monday of May, elect, by ballot, three trustees from among them, who shall serve for the period of three years; ten days' notice of the time and place of holding said elections shall be given by the trustees in such manner as they may direct, but if at any time it shall happen that the election shall not be held on the day prescribed, the privileges of the said corporation shall not for that cause be forfeited, but the officers last elected shall remain in office until others shall be duly elected, and in case of the absence or refusal of either of the said officers to act, the secretary or any member of the board may notify the stockholders thereof, and another election shall be held in ten days from the date of said notice.

Proceedings to be entered in a book.

SECTION 8. That all by-laws, ordinances and proceedings of said corporation shall be fairly and regularly entered in a book to be kept for that purpose, and no misnomer of said corporation shall defeat any gift, grant, bequest or devise to the same where the intention of the grantor or deviser shall sufficiently appear on the face of the conveyance.

Meetings.

SECTION 9. That all meetings of the trustees and stockholders of said corporation shall be held at such place or places, in the town of Shamokin, as the trustees for the time being may designate.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 521.

## AN ACT

To lay out a State road, from Manayunk Bridge, in Montgomery county, to Belmont Avenue, in Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Fox, of Philadelphia county, and Paul Jones and Alger-non Roberts, of Montgomery county, be and they are hereby appointed commissioners to run and lay out a State road, not more than sixty-six feet in width, from a point in Montgomery county, at the south end of the Manayunk bridge, over the river Schuylkill, and thence by the best and most direct practicable route, to connect with the Belmont avenue, in Philadelphia county; and that so much of said road as passes through the district of Belmont, may be opened one hundred feet in width; and the directors of the Belmont avenue and plank road company are hereby authorized and empowered to increase the width of their road to one hundred feet

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace to perform the duties enjoined on them with impartiality and fidelity, to carefully view the ground over which the said road may pass, and the parts adjacent, and lay out and mark the same upon the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same: and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ a competent surveyor or engineer, who, with the commissioners, shall receive a per diem allowance of two dollars each, for each and every day diligently employed in the discharge of the duties enjoined by this act, which shall be paid equally by the treasurers of Philadelphia and Montgomery counties, upon the rendition of the account of said commissioners.

SECTION 3. That it shall be the duty of said commissioners to make a fair and accurate draft of the said road, noting thereon courses and distances as they occur, with such other matters as may serve for explanation, a copy thereof to be deposited in the office of the Secretary of the Commonwealth within ninety days after the passage of this act, and one copy in the offices of the clerks of quarter sessions of the respective counties in which said road may be located. On the filing of the drafts as before directed, the said road shall be, to all intents and purposes, a public highway, and shall be opened to the width directed and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid, and damages by the owners of private property shall be assessed and paid in the same way and manner.



Vacancies.

SECTION 4. That in case of a vacancy occurring in said board of commissioners, by death or otherwise, it shall be filled by appointment by the majority of the said commissioners.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 522.

## AN ACT

Providing for the Sale of the Main Line of the Public Works from Philadelphia to Pittsburgh.

Governor authorized to invite sealed proposals.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor is hereby authorized and required to invite sealed proposals for the purchase of the main line of the public works, to wit: the Philadelphia and Columbia railroad; the canal from Columbia to the Junction at Duncan's Island; the Juniata canal; from thence to Hollidaysburg; the Allegheny Portage railroad, including the new road to avoid the inclined planes, in its condition at the time of the transfer, and the canal from Johnstown to Pittsburgh, with all the property thereunto pertaining or belonging, and it shall be the duty of the Secretary of the Commonwealth within ten days from the passage of this act, to give notice in two newspapers published in the cities of Philadelphia, Pittsburgh and New York, that sealed proposals will be received at his office for the purchase of said main line of the public improvements, up to the first Monday of July, Anno Domini, one thousand eight hundred and fifty-four: said proposals shall state the maximum price offered for said main line, on the following terms, to wit: twenty per centum of the amount bid to be paid into the treasury in cash, before the transfer of said works, and the balance in ten equal instalments, the interest thereon payable semi-annually, from the date of the said transfer, at the rate of six per centum per annum, and the first instalment payable at the expiration of one year from the date of transfer, and said balance shall be secured to the Commonwealth by the bonds the company purchasing the same, and the same without any of other record than this act, shall be a lien on the works and improvements aforesaid: *Provided,* That no bid for a less amount than ten millions of dollars for said main line shall be entertained.

Proviso.

SECTION 2. That it shall be lawful for any railroad, canal or navigation company incorporated under the laws of this Commonwealth, to bid for and become the purchaser of said main line of public works, anything in its charter or the laws by which it is governed to the contrary notwithstanding, and to increase its capital stock or borrow money to any amount necessary to effect such purchase, and complete the unfinished portions of the line.

Who may bid for the works.

SECTION 3. That it shall be the duty of the Governor, in the presence of the Secretary of the Commonwealth, Auditor General, State Treasurer, and such other persons as may see proper to be present on the said first Monday in July, Anno Domini, one thousand eight hundred and fifty-four, to open said proposals, and award said main line to the corporation or persons offering the highest price for the same, and in case two or more proposals should be made for said main line for the same sum, the Governor shall have the authority to decide between said bidders: *Provided*, That the party whose bid shall be declared the highest, shall thereupon forthwith deposit with the State Treasurer the sum of two hundred thousand dollars, as security that such party will within ninety days thereafter pay the first instalment of twenty per centum, in cash or bonds of the Commonwealth as specified in this act, and in the event of said party failing to make such deposit with the State Treasurer, the Governor shall set his or their bid aside, and accept the next highest bid made in compliance with the provisions of this act.

Opening of proposals.

Proviso.

SECTION 4. That should the main line aforesaid, be bid for and awarded by the Governor to any association of individuals, as hereinbefore provided for, he shall, upon the payment of twenty per centum of the purchase money, issue letters patent, and incorporate said persons into a body politic and corporate, by the name, style and title of the Keystone Railroad and Canal Company, on the terms and conditions hereinafter specified.

Letters patent.

SECTION 5. That immediately upon the issuing of the letters patent by the Governor, as provided by the preceding sections of this act, the railroad leading from Philadelphia to Columbia, and the Eastern division of the Pennsylvania canal, extending from Columbia to its junction, with the Juniata division, at Duncan's island, the Juniata division extending from Duncan's island to Hollidaysburg, the new and old Portage railroad from Hollidaysburg to Johnstown, and the Western division of the Pennsylvania canal from Johnstown to Pittsburg, shall be immediately vested in the said corporators and their successors, including the bridge over the Susquehanna river, at Duncan's island, together with all the surplus water power of said canals, all offices, toll houses, water stations, workshops, locomotives, cars, trucks, stationary engines, fuel on hand, horses and implements, and all the estate, real and personal, purchased and owned, and held by the Commonwealth, for the use of the said canals and railroads; the Canal Commissioners shall prepare duplicate schedules of all the estate, real and personal, purchased, owned and held by the Commonwealth, for the use of the main line of canals and railroads from Philadelphia to Pittsburg, describing the toll houses, water stations, engines and engine houses, work shops, and the condition of the canals and railroads, and their appendages, and enumerating all the personal property, said schedules shall be signed by the Canal Commissioners, and by the president of the said company, with the corporate seal annexed, on behalf of said company, one of which

When property to be vested in purchasers.



schedules shall be left with the directors of said company, and the other delivered to the Governor, to be filed in the office of the Secretary of the Commonwealth.

Notice to be given  
to superintend-  
ents, &c.

SECTION 6. That so soon as the said company shall be organized and shall give notice to the Governor of their readiness to take possession of said works, he shall cause notice thereof, to be given to all superintendents, toll collectors, officers and agents of the Commonwealth, employed on or about said railroads and canals, who shall continue nevertheless to discharge the duties of their said offices or employments, and be entitled to receive their present rate of compensation from the said company, until removed or re-appointed by the directors thereof, and the official bonds of said officers and agents shall enure to the use of said company, as to all moneys received by them on account of the works, subsequent to the time when said company shall so take possession of them as aforesaid.

Works to be kept  
in repair.

SECTION 7. That immediately after the Governor shall have issued letters patent, the said company shall take possession of said public works, and shall be bound ever thereafter, to keep in good repair and operating condition, the entire line of said railroads and canals, extending from Philadelphia to Pittsburg, with the necessary toll houses, water stations, locks, buildings and other appurtenances, and that the said railroads and canals shall be, and forever remain a public highway, and the said company shall furnish stationary and locomotive engines, and motive power, for the use of all persons or companies engaged or wishing to engage in the transportation of tonnage or passengers, at such times and in such manner as not to impair the use and enjoyments of said railroads and canals, by said parties, they paying just and fair charges for the use of said main line or any portion thereof, which shall not exceed the rates of toll now charged upon boats, cars, tonnage and passengers by the Commonwealth. It being the true intent and meaning of this act, that the said main line shall be, and remain forever a public highway, and kept open, and in repair by said company as such, for the free use and enjoyment of all persons desiring to use and enjoy the same, and that nothing in this act contained, shall be construed in any way, to interfere with the existing rights and privileges of parties doing business upon the same: *And provided further*, That the company purchasing said main line shall fully carry out the contract existing, for the carrying of passengers over the Columbia and Philadelphia railroad.

Proviso.

Detailed state-  
ment to be made  
out and filed in  
Auditor General's  
office.

SECTION 8. That the said company on the first day of December, after its incorporation, and annually thereafter shall cause to be made out under the oath of one its officers, and transmitted to the office of the Auditor General a detailed statement, exhibiting the amount of tolls, freight and other incomes, which have been received by said company during the preceeding year, also a statement of all the expenditures for the same period, for repairs, management, motive power and other purposes, and it shall be the duty of the Auditor General to file said statement in his office as all similar reports are now filed.

Transportation of  
passengers and  
produce.

SECTION 9. That the said company may own and employ locomotive engines, cars, boats and horses, and convey passengers and tonnage of whatsoever description on said canals and railroads, and shall have the right to receive compensation for the same as hereinafter provided, and to make such general regulations for the transaction of business on said railroads and canals



as they may from time to time deem proper, and they shall also have the exclusive right to furnish all the motive power for said railroads.

SECTION 10. That said company shall not have the right to subject tonnage shipped or discharged at intermediate points on said line of improvements, to charges of more than twenty per centum above the rates per mile charged for similar tonnage passing over the entire extent of said improvements for the time being, and the said company shall make no discrimination in tolls and charges against any boats or tonnage passing to and from the Susquehanna Division, of the Pennsylvania canal, and the charges and tolls on such tonnage and boats, shall never exceed per mile those now charged by the State, on the Susquehanna, West Branch and North Branch divisions of the Pennsylvania canals, or the amounts now paid the Commonwealth, upon such boats and tonnage under present maximum rates of tolls as fixed by the board of Canal Commissioners. Charges.

SECTION 11. That the purchasers of said railroads and canals, their successors and assigns shall be a body politic and corporate in deed and in law, by the name, style and title of the Keystone canal and railroad company, and by the same name the said company shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and to have, purchase, receive and hold, and enjoy to them and their successors such land, tenements and hereditaments, goods, chattels and estates, real, personal and mixed, of what kind or quality soever, as shall be necessary for the repairs and management of said canals and railroads, and the same from time to time sell, exchange, mortgage, alien, grant or otherwise dispose of, and also to make and keep a common seal, and the same to alter and renew at pleasure, and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States, or of this State, and generally to do all and singular, the matters and things which to them it shall lawfully appertain to do, for the well-being of the said corporation, and the due managing and ordering of the affairs of the same, and the said company be and they are hereby authorized if they deem it expedient, to construct a railroad by the most eligible route from the western terminus of the Philadelphia and Columbia railroad, to the Allegheny Portage railroad and connect therewith, and also extend the Allegheny Portage railroad to the city of Pittsburgh, and connect with the North Western railroad, and to increase the capital stock of the company to any amount necessary to complete the same, not exceeding three hundred thousand shares at fifty dollars each: *Provided*, The same be commenced within five years, and completed within ten years from the date of its incorporation under this act. Purchasers to be a body politic  
Style.  
Privileges.

SECTION 12. That the stockholders of such company, or a majority of them shall, as soon as conveniently may be after the letters patent shall be obtained, appoint a time and place for the stockholders to meet, in order to organize the said company, and shall give at least ten days' previous notice thereof in one or more newspapers in the county where said meeting is to be held; the capital stock shall be divided into shares of fifty dollars each, and each share of stock shall entitle the holder thereof to one Meeting of stockholders.

vote; and the board of directors shall consist of thirteen; the stockholders when met, shall choose by ballot, the said directors by a majority of votes polled; the said directors shall be stockholders, and a majority of them shall be citizens of this Commonwealth, and shall remain in office until the second Monday in February next thereafter, and until another board is chosen; the directors shall elect one of their number president, and shall conduct and manage the business and affairs of the company.

Annual meeting. SECTION 13. That the stockholders shall meet on the first Monday in February in every year, at such place as shall be fixed upon by the by-laws of the said company; of which meeting, the directors shall give at least ten days' previous notice in one or more newspapers published in the county where the said meeting is to be held, and choose by ballot, by a majority of votes polled, a board of directors qualified as provided in the preceding section, for the ensuing year, and until another board is chosen; and the stockholders may meet at such other times as they may be summoned by the board of directors, in such manner and form, and upon such notice as the by-laws may direct: *Provided*, That no share of stock shall entitle the holder thereof to vote at any election, which shall not have been transferred on the books of the company, at least one month before such election is held; any stockholder may vote by proxy, by duly authorizing some person to represent said stock: *Provided further*, That no male stockholder, resident within ten miles of the place of election, shall be permitted to vote by proxy; and no proxy shall be received, unless it shall have been executed within three months of the day of election.

Proviso.

Proviso.

Election of directors. SECTION 14. That the election of directors, provided for in this act, shall be conducted in the following manner, that is to say, the directors, for the time being, shall appoint two of the stockholders not being directors, who shall severally take and subscribe an oath or affirmation, before an alderman or justice of the peace, well and truly, and according to law, to conduct such election to the best of their knowledge and abilities; and the said judges shall decide upon the qualifications of voters, and when the election is closed, shall count the number of votes, and declare who have been elected; and if it shall happen at any time, that an election of directors shall not take place, the corporation shall not, on that account, be dissolved, but it shall be lawful to hold and make such election on any day thereafter, by giving at least five days' previous notice of the time and place for holding said election; and in case of a vacancy in the board of directors by death, resignation or otherwise, the vacancy may be filled by the board of directors.

Meetings of board of directors. SECTION 15. That the board of directors shall meet at such times and places as may be fixed by the by-laws, and when met seven shall constitute a quorum; and in case of the absence of the president, the directors present shall elect a president *pro tempore*, and shall keep minutes of their proceedings, fairly entered in a book; and the board of directors shall have power and authority to appoint such officers and agents as may be necessary to conduct the affairs of the corporation, and to fix their salaries, and may require security of said officers or agents, in such amounts as they shall determine, and do all other acts and things as by this act, and by the by-laws and regulations of the said company, they may be authorized to do.



SECTION 16. That the board of directors shall have power to borrow money, from time to time, to an amount not exceeding the capital stock of the company, on the security of the corporate property, and to issue bonds, at such rate of interest as shall be determined on by the board of directors: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

Power to borrow money.

Proviso.

SECTION 17. That dividends of so much of the profits of the said company, as shall appear advisable to the board of directors, shall be declared semi-annually, and shall be paid to the stockholders, in *pro rata* proportions to the amount of stock held by each of said stockholders on demand, at any time after the expiration of ten days from the time of declaring said dividend; but the dividends shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock shall never be impaired thereby.

Dividends.

SECTION 18. That the said directors shall procure certificates, or evidences of stock, for all the shares of the stock of the said company, duly numbered, and shall deliver a certificate or certificates, signed by the president, and sealed with a common seal of the said corporation, and countersigned by the treasurer of the company, to each person for the share or shares of stock by him or her owned; which certificates shall be transferable at his or her pleasure, in person or by attorney duly authorized, on the books of said company.

Certificates of stock.

SECTION 19. That it shall be lawful for the said company, their officers, engineers, contractors and agents, to enter upon any lands adjoining, or in the neighborhood of said canals and railroads, and take, dig, and carry away therefrom any stone, gravel, clay, sand or earth, necessary for the maintaining and repairing of said canals and railroads, or for constructing any bridge, viaduct, or other building which may be required in the maintenance and repair of said canals and railroads, and to erect and construct additional dams, and to improve those already constructed, and make such other improvements as may be deemed necessary: *Provided*, That compensation shall be first made or secured to the owner or owners of any such lands or materials, as shall be agreed upon between the parties, or in such manner as is hereinafter provided.

Authority to enter upon lands.

Proviso.

SECTION 20. That when the said company cannot agree with the owner or owners of any lands or materials for the damage done or likely to be done or sustained by any such owner or owners of such lands or materials which it may be necessary for said company to enter upon, use, or take away, for the repair of said canals and railroads, or by reason of any legal incapacity of any such owner or owners no such compensation can be agreed upon, the court of quarter sessions of the proper county, on application thereto by petition, either by said company or owners, or any one in behalf of either, and at the cost and charge of said company, shall issue their precept to the sheriff of the county, commanding said sheriff to summon seven discreet and disinterested persons to meet on the lands from whence materials are to be taken, in not less than ten nor more than twenty days, giving such reasonable notice as the court may designate, to both parties, by publication or otherwise, in the discretion of the court. And if a majority of said jurors attend, they shall be empanelled; and if a majority do not attend, the sheriff may summon others forthwith, or fix a day when they shall meet; and the said seven jurors, or a ma-

Damages.



jority of them, being so empannelled and sworn or affirmed by the said sheriff, or his deputy, faithfully, justly and impartially to value the materials taken or to be taken, and find the rate of compensation to be paid therefor by said company. And the said jury shall have power to administer oaths and examine witnesses, and shall make report of their proceedings, stating the compensation adjudged and to whom payable, to the court, who, upon confirmation thereof, may direct such damages to be paid, or order a new inquisition if justice shall require it: *Provided*, That any owner or owners applying for a review, shall be liable for the costs of the proceedings prayed for in case a report more favorable is not obtained upon said review.

Proviso.

Notification to  
Canal Commis-  
sioners.

SECTION 21. That it shall be the duty of the Governor, upon the allotment of said main line, to notify the Canal Commissioners of such allotment, who shall immediately direct the engineer, superintendent or supervisor having charge of said main line, to make a final estimate, including all retained percentage of all work done under existing contracts, and make return to the Auditor General the amounts which may be found due for debts of all kinds existing at the time on such division or divisions.

Contracts to be  
carried out in  
good faith.

SECTION 22. That the said Keystone canal and railroad company shall carry out, in good faith, all contracts which may be in existence between the Commonwealth and other parties, for the construction of new work on the Allegheny Portage railroad, or for repairs or materials on any part of the said main line: *Provided*, That the said company may abandon said contracts in the same manner that the Commonwealth might have done, and that they shall not be liable for any of the debts on the said main line, incurred prior to the date of the transfer.

Proviso.

Any incorporated  
company becom-  
ing purchasers  
may hold the  
same under their  
corporate name.

SECTION 23. That if any company heretofore incorporated by this Commonwealth shall become the purchaser of said main line, such company shall hold the same under its original name, organization and management, but enjoy all the powers and privileges, and be subject to all the limitations, restrictions and conditions specified in this act, except such as relate to the name, organization and management of the company; and upon the payment of the first instalment of the purchase money by such company, the Governor shall convey the said main line in the manner provided for upon the issuing of letters patent to an unincorporated company.

Forfeiture.

SECTION 24. That a failure to pay any instalment and the accrued interest for more than six months from the time that such instalment or interest shall be due, shall work a forfeiture of double the amount of money due, and a repetition of such neglect, shall produce a forfeiture of the franchises hereby granted, whereupon, the said railroads and canals shall revert to the State, together with the working stock and property thereon, owned by such company, and thereupon the Governor shall announce such forfeiture by proclamation, and the Canal Commissioners shall proceed to take charge of said canals and railroads, and keep the same open for use, at present rates of toll and charge for the use thereof, until action is had by the Legislature.

Inspection of  
books.

SECTION 25. That it shall at all times be lawful for a committee of the Legislature appointed for that purpose, to inspect the books and examine into the proceedings of the corporation purchasing said main line, for the purpose of ascertaining whether

the rights and privileges granted by this act have been misused or abused, and the Legislature may provide such remedies and penalties as may be necessary to secure a compliance with the provisions of this act.

SECTION 26. That all the monies accruing to the treasury from the sale of the said public works, shall be added to the sinking fund, and be applied to the payment of the funded public debt, according to the provisions of the act, entitled "An act to create a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the Commonwealth," approved April tenth, one thousand eight hundred and forty-nine. Monies accruing from sale to be applied to Sinking Fund.

SECTION 27. That all necessary expenses incurred by the Governor under the provisions of this act, shall be paid out of any money in the treasury, not otherwise appropriated upon warrants drawn by him. Expenses.

SECTION 28. That the Legislature reserve the power to alter, revoke or annul the powers and privileges which may be conferred by this act, on the company which may purchase the said main line, whenever any of the said powers or privileges may, in their opinion, be injurious to the citizens of this Commonwealth, in such manner however that no injustice shall be done to the said company. Reservation.

SECTION 29. That if the said main line shall not be awarded to any purchaser under the provisions of this act, the Governor shall advertise for the term of one month, in two newspapers published in Philadelphia, Harrisburg and Pittsburgh, for purchasing the same or any division thereof, and transmit the proposals if any are received, at the next General Assembly, to the Speaker of the Senate, who shall open and publish the same in the presence of that body. Duties of Governor in case no sale is effected.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 523.

## A SUPPLEMENT

To an act incorporating the Chester Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the directors of the Chester Valley railroad company shall be elected in the manner pre-*

scribed in and by the fifth section of the general railroad law of the Commonwealth, passed by the General Assembly, and approved on the nineteenth day of February, one thousand eight hundred and forty-nine, and that so much of the fifth section of the said act incorporating the Chester Valley railroad company as is inconsistent or in conflict with the fifth section of the said general railroad law be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 524.

## AN ACT

Incorporating the Cannonsburg Saving Fund Society.

Corporators.

Style.

Privileges.

Joint stock, deposits, &c., to inure to benefit of corporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Watson, Benjamin South, William S. Calohan, John Campbell, James M'Cullough, Henry M'Abbe, Wm. M. Daniel, John Weaver and John Chambers, president, secretary, treasurer and directors, together with all other persons who do now constitute the stockholders and weekly depositors of the Cannonsburg saving fund society, or such persons as shall hereafter become stockholders and weekly depositors of the same, shall be and are hereby created a corporation, and body politic by the name and style of the Cannonsburg saving fund society, and shall so continue until the first day of January, in the year of our Lord, one thousand eight hundred and seventy, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain to them and their successors such real estate as may be necessary for the transaction of their business, not exceeding in value five thousand dollars, except such as may be held by said company as security for debts, and the same to sell, grant or demise, as also to make, have and use a common seal and the same to alter and renew at pleasure.

SECTION 2. That the joint stock, weekly deposits and all the goods, chattels, money, debt and other property real and personal, now belonging or due and payable, or to become due and payable to, or vested in the corporation hereby created, and all contracts made with the said company or any person or persons for their use, shall enure and operate for the benefit of and be performed to and with the said corporation, and that the said corporation shall be liable for all contracts entered into by said company before the passage of this act.



SECTION 3. That the number of shares of stock shall be twenty-five hundred shares, at twenty dollars each, to be subscribed and paid in agreeably to the by-laws and regulations of said company, weekly or special depositors who have paid or may hereafter pay into the funds of said company a sufficient amount, may at their discretion convert said deposit into stock, weekly and special depositors may before converting their deposits into stock, withdraw the same by complying with the by-laws of the institution. Shares of stock.

SECTION 4. That the said company shall keep their office in some suitable place in the borough of Cannonsburg, county of Washington, the affairs of said company shall be conducted by nine directors, to be chosen as hereinafter provided for, five of whom shall constitute a quorum to do business, they shall choose a president and secretary from their own number, and choose such other officers and agents as they may deem necessary, and fix the compensation of the same, the treasurer and committee of safety shall be chosen by the corporators in the same manner and for the same time as the directors, they shall have power to fill all vacancies that may occur in their board during their term of service, and take bonds of the treasurer or other officers and agents, in such sums as may be required by said board. Office, where to be kept.

SECTION 5. That on the first Saturday in the month of July, or any succeeding day appointed by five of the first named persons in this charter, after the acceptance of said charter, two weeks' previous notice being given, the stockholders and weekly depositors shall convene and by ballot elect nine persons for directors; one person for treasurer and three persons for a committee of safety, who shall continue in office until the first Saturday in January, eighteen hundred and fifty-five, or until successors are elected and qualified, and said election shall be held annually on the first Saturday in January thereafter: *Provided*, That no person shall be elected as a director, treasurer or committee of safety, who is not at the time a member of said company. Directors, election of.

SECTION 6. That the lands and tenements and hereditaments made lawful by this act for said company to receive, hold and dispose of by sale or otherwise, shall only be such as are requisite for its accommodation in the transaction of the business of the company, and such as shall be bona fide mortgaged or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased when the same may be necessary to secure any debts due to the said corporation. Lands, &c.

SECTION 7. That the said corporation shall be authorized to invest its funds in the purchase of mortgages, judgment bonds, public stock of this State or of the United States, or real securities, or by discounting negotiable notes and personal securities, drafts and bills of exchange: *Provided*, That the rate of discount at which loans may be made by said institution shall not exceed one-half of one-per centum for thirty days, interest paid in advance and on banking principal. Investment of funds.

SECTION 8. That it shall be lawful for the said corporation to receive from time to time and at all times, from all persons or corporate bodies, such funds as may be deposited with them, and for which they shall pay the depositors such rates of interest as may be from time to time agreed upon by the directors of said institution, and give the depositors of such moneys such deposit book or other evidence of indebtedness of said corpora- What funds may be received.

- tion, as may be found necessary or convenient in the transaction of its business: *Provided*, That nothing herein contained shall be construed as to give or extend to said institution the power to issue its own notes.
- Dividends.** SECTION 9. That the directors are hereby authorized to make such dividends of the profits arising from the business of this company, as will not impair the stock and deposits thereof, or otherwise injuriously effect the interests of the institution; said dividend shall be declared once in every six months after the first Saturday of July ensuing, and on the first Saturday of January and July thereafter, each and every year, and of all such dividends the stock and weekly depositors shall share in equal proportions, after paying its expenses, and the same to pay over to the stockholders and weekly depositors or their legal representatives within ten days thereafter: *Provided*, That no stockholder or weekly depositor shall share in such dividend, unless said deposits have been paid in six months prior to declaring said dividend.
- By-laws.** SECTION 10. That the members of this corporation or their successors, shall have power to adopt such by-laws as may be necessary to carry out the objects of this institution: *Provided* That they are not inconsistent with the constitution and laws of this State and the United States.
- Proviso.**
- Committee of examination.** SECTION 11. That it shall be the duty of the board of directors at the time of the last dividend declared, for each and every year, from and after the acceptance of this charter, to appoint from the members of said corporation, three competent persons as a committee of examination, whose duty it shall be to investigate the affairs of said corporation, and to make report thereof.
- Liability.** SECTION 12. That the stockholders of the said corporation shall be individually liable for the debts of the same, which liability shall be enforced in the manner provided for the enforcing of the individual liability of the stockholders of banks, by the act of sixteenth of April, one thousand eight hundred and fifty, entitled "An act regulating banks," and any officer or agent of said corporation who shall embezzle or appropriate to his own use without authority any of the funds of said bank, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than the sum so embezzled or appropriated, and shall be imprisoned in the Washington county prison for a period not less than six months nor more than two years, at the discretion of the court.
- Reservation.** SECTION 13. That the said society shall continue for fifteen years and no longer, except for the purpose of winding up its business, and the Legislature hereby reserves the power to alter, revoke or annul the charter of said savings institution, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner however that no injustice be done to the corporators.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 525.

## AN ACT

To incorporate the Ashmun Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and hereby is established at or near a place called *Hinsonville*, in the county of Chester, an institution of learning for the scientific, classical and theological education of colored youth of the male sex, by the name, style and title of the “Ashmun institute,” under the care and direction of a board of trustees, not exceeding nine in number, who, with their successors in office, shall be and hereby are declared to be one body politic and corporate, in deed and in law, to be known by the name, style and title of the “Ashmun Institute,” and by the same shall have perpetual succession, and shall be able to sue and be sued, to plead and be impleaded in all courts of law and equity, and shall be capable in law and equity to take, hold and purchase for the use and benefit of said institute, lands, goods, chattels and monies of any kind whatever, by gift, grant, conveyance, devise or bequest from any person or persons whomsoever capable of making the same, and the same from time to time to sell, convey, mortgage or dispose of for the use and benefit of said institute, and they shall have power to have a common seal; to erect such buildings as may be necessary for the purposes of said institute, and to provide libraries, apparatus and all other needful means of imparting a full and thorough course of instruction in any or all the departments of science, literature, the liberal arts, classics and theology, and to do all and singular the matters and things for the purposes of this act, which any corporation or body politic may or can do for the well being of said institute, and for the due management and ordering of the affairs thereof, which may not be contrary to the constitution and laws of this State or of the United States: *And provided,* That the clear yearly value and income of said estates shall not exceed in value the sum of six thousand dollars.

Institute established.

Style.

Privileges.

Proviso.

SECTION 2. That for the present the trustees of the said institute shall be John M. Dickey, Alfred Hamilton, Robert P. DuBois, James Latta, John B. Spotswood, James M. Crowell, Samuel J. Dickey, John M. Kelton and William Wilson, who, or any five of them, on and after the passage of this act, shall have power to organize the said board of trustees, and after such organization, three members of the said board shall constitute a quorum to do business at any meeting called in due form according to the by-laws established by the said board.

Trustees.

SECTION 3. That the board of trustees aforesaid, at the meeting in which they are organized, shall arrange themselves in three classes of three each by lot, of which classes the first shall serve one year, the second shall serve two years, and the third shall serve three years; when vacancies occur, and ever afterwards, they shall be filled by persons elected by the Presbytery of New Castle, who shall choose three trustees annually to

Trustees to be arranged into three classes.



**Proviso** serve for three years, as well as fill all vacancies made by death, resignation or otherwise: *Provided however*, That if the said Presbytery shall at any time fail to elect successors to those whose term of office has expired, the same shall continue to act as members of the board until others shall have been chosen in their place.

**Buildings.** SECTION 4. That the board of trustees, under the general instructions from the Presbytery of Newcastle, shall have power to purchase, put up or procure suitable buildings and improvements only as they may have the necessary means, in no case ever involving the said Presbytery in pecuniary obligations, they shall have power to appoint and remove the necessary professors and teachers, and name their salaries, to establish rules and regulations for the government of the institution, to appoint such officers and agents for their own body as may be deemed expedient, and to adopt and establish their own by-laws and regulations: *Provided*, That none of the said by-laws and regulations shall extend to an alienation of the lands and tenements or other capital stock of the institute, or to a dissolution thereof, except by the consent of the said Presbytery; they shall have power to procure the endowment of the institute, not exceeding the sum of one hundred thousand dollars, and when required by the aforesaid Presbytery, they shall report to it the state of the institute, the state of the funds, and of all the interests committed to their trust.

**Degrees** SECTION 5. That the trustees shall have power to confer such literary degrees and academic honors as are usually granted by colleges upon such pupils as shall have completed in a satisfactory manner the prescribed course of study.

**Appropriation of monies** SECTION 6. That the trustees shall faithfully appropriate all monies and other effects that may come into their hands for the sole benefit of the said institution, nor shall any bequest or donation made to and accepted by the said board for specific educational objects ever be diverted from the purposes designated by the donor.

**Colored pupils.** SECTION 7. That the institute shall be open to the admission of colored pupils of the male sex of all religious denominations, who exhibit a fair moral character, and are willing to yield a ready obedience to the general regulations prescribed for the conduct of the pupils and the government of the institution.

**Misnomer** SECTION 8. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the parties shall sufficiently appear up the face of the gift, will or writing whereby any estate or interest was intended to be passed to or from said corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 526.

## AN ACT

Authorizing Jacob Huber, executor of the last will and testament of Michael Huber, deceased, to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Huber, of the borough of Pinegrove, in the county of Schuylkill, executor of the last will and testament of Michael Huber, of Pinegrove township, in said county, deceased, be, and the same is hereby authorized and empowered to offer, dispose of, and sell at public sale, all that certain house and lot of ground with the appurtenances, situated in Limestone township, Lycoming county, which the said Michael Huber, late of Pinegrove township, in Schuylkill county, deceased, by his last will and testament duly declared, signed and sealed in the presence of witnesses, on the tenth day of September, Anno Domini, one thousand eight hundred and forty-six, and recorded in the office, for the recording of deeds and wills, in and for Schuylkill county, on the twenty-second day of October, Anno Domini, one thousand eight hundred and forty-seven, gave and bequeathed unto his son, Solomon Huber, and to his legal heirs, and with the proceeds of said public sale of said property, the said Jacob Huber shall be, and the same is hereby authorized and empowered to purchase such other house and lot of ground in Pinegrove township, Schuylkill county, as will be suitable and convenient for a house or dwelling for the said Solomon Huber, and Elizabeth, his wife, who shall have the use of the same, and be permitted to dwell thereon, as long as they both shall live, subject to all, and singular the same conditions and requirements as set forth in the last will and testament of the said Michael Huber, deceased, and as therein applying to the above mentioned and described house and lot of ground in Limestone township, Lycoming county, bequeathed as aforesaid, unto the said Solomon Huber, by his father, Michael Huber, late of Pinegrove township, deceased.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 527.

## AN ACT

To authorize the Larry's Creek Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Larry's Creek plank road company is hereby authorized and empowered to borrow, on the credit of said company, any sum of money not exceeding six thousand dollars, and to issue bonds therefor, in sums not less than one hundred dollars; and to secure the same, the said company are further authorized to mortgage the whole or any part of their road, its rights, privileges and franchises, to the party or parties who may loan any money in pursuance of the provisions of this act.

SECTION 2. That the said Larry's Creek plank road company shall be authorized, under their present charter, to extend their road from the southern terminus of the same, near the mouth of Larry's creek, by the nearest and most practicable route to any point within the borough of Jersey Shore; and for this purpose may occupy the whole or any part of any public road lying between the points aforesaid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 528.

## AN ACT

To confirm the Title to certain Real Estate in the City of Philadelphia.

WHEREAS, By a decree of the court of common pleas of the county of Philadelphia, made on the thirteenth day of March, Anno Domini one thousand eight hundred and forty-seven, a charter was granted to certain persons, citizens of this Commonwealth, constituting them a body politic and corporate, under the name and title of the Workingmen's Saving Society



of the city and county of Philadelphia, but, through inadvertency or oversight, the said charter was not recorded in the office for recording deeds, et cetera, in the said county of Philadelphia, until the fourteenth day of July, Anno Domini one thousand eight hundred and fifty-two: *And whereas*, During the interval between the granting of the said charter by the said court and the recording of the same in the proper office as aforesaid, there was conveyed to the said the Workingmen's saving society of the city and county of Philadelphia, certain messuages or tenements and lots of ground within the city and county of Philadelphia, and some of the said messuages and lots were subsequently, by the said the Workingmen's saving society of the city and county of Philadelphia, conveyed to certain persons for a valuable consideration, and doubts have arisen whether, by the said grants and conveyances so made by the said the Workingmen's saving society of the city and county of Philadelphia, during the interval aforesaid, good and valid titles to the premises, in the said deeds described, passed to the respective grantees therein named: Therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the grants and conveyances heretofore made by the said the Workingmen's saving society of the city and county of Philadelphia, or that may hereafter be made, of any property now held by them, shall be good, valid and effectual in law and in equity, to pass the same to the purchasers thereof, in all respects and in like manner as if the said the Workingmen's saving society of the city and county of Philadelphia had been fully authorized and empowered by law to purchase, hold and convey all and all manner of real estate, and as if the charter of the said society had been recorded in the office for recording deeds, et cetera, of the county of Philadelphia, at the time the same was granted by the court of common pleas as aforesaid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 529.

## AN ACT

To exempt certain loans and bonds from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all certificates of loan now issued or which may be hereafter

issued by the city of Philadelphia, or any of the incorporated districts of the county of Philadelphia, in payment of subscriptions already made or which may be hereafter made, by the municipal authorities of said city, or incorporated districts to the capital stock of any railroad company, and all bonds or certificates of loans of any railroad company incorporated by this Commonwealth, be and the same shall be liable to taxation for State purposes only.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The first day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.\*

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No. 530.

### A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near Sharpsburg, in Allegheny county, approved the thirteenth day of March, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the company for erecting a bridge over the Allegheny river, at or near Sharpsburg, in Allegheny county, be and they are hereby authorized to construct an artificial road of the width of not exceeding fifty feet, from the southern end of said bridge, to intersect by the most direct route the Lawrenceville and Sharpsburg plank road, the same to be finished within eighteen months after the said bridge is passable, and to be kept in repair by said company; and subject to the provisions of the sixth and ninth sections of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and of the first, second and third sections of the supplement thereto, approved the seventh day of April, of the same year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The first day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 531.

## AN ACT

To authorize the consolidation of the York and Maryland Line Railroad Company, the York and Cumberland Railroad Company, and the Susquehanna Railroad Company with each other and with the Baltimore and Susquehanna Railroad Company of the State of Maryland, into one Company, to be called the Northern Central Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the stockholders of the York and Maryland line railroad company, the York and Cumberland railroad company, and the Susquehanna railroad company, upon their severally expressing their assent to and accepting this act, to unite and consolidate their several companies with each other and with the Baltimore and Susquehanna railroad company, in Maryland, so as to form and constitute one company or corporation, to be known by the name of the Northern Central Railway company, which union or consolidation shall be made on such terms and conditions, and conformably to such regulations and agreements as the said several companies shall respectively determine and adopt, subject, nevertheless, to the following general provisions: *Provided,* That no bond shall be issued by said company for a less sum than one hundred dollars.

Consolidation authorized.

Proviso.

*First,* That all existing contracts, engagements and liabilities of each of the said companies shall continue to bind them, respectively, and their property and effects, as fully as before they shall have become consolidated into one company, or that such contracts, engagements and liabilities shall be duly adopted and assumed by the consolidated company, in such manner and to such extent as shall be satisfactory to all parties having an interest in the same.

Existing contracts.

*Second,* That all acts of the General Assembly of Pennsylvania heretofore made, and not repealed or modified, relating to either of the said companies, shall be binding upon the said consolidated company, so far as its property or its operations may be within the jurisdiction of this State, and so far as the same may be applicable to and consistent with the new organization of the said consolidated company.

Acts of General Assembly.

*Third,* That the said consolidated company shall have power, from time to time, to establish its capital stock, at an amount not exceeding eight millions of dollars, and shall also be authorized to issue its bonds and to secure the same by one or more mortgages, for any such amount as it may find necessary for paying off any existing debt or engagement of the company completing the road to Sunbury, stocking the road, laying a double track on the same or any part thereof, and for extending the road to tide-water, and for constructing such docks or other fixtures as may from time to time be found necessary.

Capital stock.

*Fourth,* That the said consolidated company shall be subject to the provisions of the act passed February nineteenth, one thousand eight hundred and forty-nine, entitled "An Act regu-

Subject to provisions of certain act



lating railroad companies," except so far as the same may be necessarily modified by the conditions requisite to bring the organization of the consolidated company into conformity with the existing laws heretofore enacted in reference to the several companies, and also with reference to the legislation of the State of Maryland touching the same, and except so far also as the same may be repealed by this act. That the said consolidated company shall annually elect, at such time and place and upon such notice thereof, not less than two weeks before said election, given in the public newspapers, as the by-laws of said company shall require, and appoint twelve directors for the management and direction of the officers of the company, who, together with said additional directors as may be authorized and required by the State of Maryland and the city of Baltimore, shall constitute the board for the management of the affairs of the company, which board shall annually elect a president to preside over the affairs of said company, and a majority of which board shall constitute a quorum: *Provided*, That the State of Maryland and the city of Baltimore shall neither have, at any time, more than two directors each in said board, and that the Susquehanna railroad company be and they are hereby authorized to extend the road, from any point near its eastern terminus, so as to connect with any railroad leading towards Philadelphia, as fully as the Sunbury and Erie railroad company is authorized by existing laws so to do.

Proviso.

When act to take effect.

SECTION 2. That this act shall take effect whenever and as soon as the said companies hereinbefore referred to, shall have agreed to consolidate their several companies into one, and shall have settled, determined and agreed upon the terms and conditions of such consolidation in conformity with the provisions of this act, and shall make a full record and report thereof, certified by the president of said consolidated company, and have transmitted the same to the Governor of this Commonwealth: *Provided*, That nothing contained in this act shall be construed to release any of the companies named in the preceeding section, from the tonnage tax now imposed upon them by the laws of this Commonwealth: *Provided*, That there shall be no discrimination by the said consolidated company, from any point of their road in favor of travel or tonnage passing to or from the city of Baltimore, to the disadvantage of trade and travel passing to or from the city of Philadelphia, under the penalty of forfeiting the privileges conferred by this act: *Provided*, That no less amount shall be charged for motive power or transportation between Baltimore and any station on the consolidated road, north of York and south of Bridgeport, than may be charged between Baltimore and York: *And provided further*, That no change of the railroad through the borough of York shall be made without the consent of the burgesses of said borough, and that no further restrictions shall be enacted by the burgess than those at present in existence.

Proviso

Powers in case of a failure to consolidate.

SECTION 3. That in case of the several companies named in the first section of this act, fail to agree upon the terms of the consolidation therein authorized, then and in that case it shall and may be lawful for the stockholders of the Susquehanna railroad company, and the stockholders of the Sunbury and Erie railroad company, to unite and consolidate the said Susquehanna railroad company with the Sunbury and Erie railroad company, upon such terms and conditions as may be agreed upon between

the companies, and the consolidated company shall be entitled to all the powers and privileges, and subject to all the provisions and restrictions not inconsistent with this and the subsequent section of this act, which are contained in the proper acts of incorporation, and the supplements thereto of said companies, and in the event of said consolidation, the Sunbury and Erie railroad company shall assume and be held responsible for all debts and contracts which may have been entered into by either of said companies so consolidated, and thereafter the consolidated company shall be governed by one president and twelve directors, to be elected at such time and in such manner as shall be mutually agreed upon between the companies so consolidated.

SECTION 4. That in case of the consolidation of the Susquehanna railroad company with the Sunbury and Erie company, it shall and may be lawful for the consolidated company to sell and convey that portion of the Susquehanna railroad lying south of the town of Dauphin, to the York and Cumberland railroad company, upon such equitable terms as may be mutually agreed upon, but in no case at a higher price than the amount expended on said portion of said Susquehanna railroad, and the said York and Cumberland railroad company is hereby authorized to purchase, hold and enjoy the same, and to extend their road from its present terminus to the town of Dauphin aforesaid.

Authority to sell property.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The third day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 532.

## AN ACT

Explanatory of an act to authorize the consolidation of the York and Maryland Line Railroad Company, the York and Cumberland Railroad Company, and the Susquehanna Railroad Company with each other, and with the Baltimore and Susquehanna Railroad Company, of the State of Maryland, into one company, to be called the Northern Central Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing contained in the last proviso of the first section of an act entitled “An act to authorize the consolidation of the York and Maryland line railroad company, the York and Cumberland railroad company, and the Susquehanna railroad company with each other, and the Baltimore and Susquehanna railroad com-

pany, of the State of Maryland, into one company, to be called the Northern Central Railway Company," shall be so construed as authorizing the Susquehanna railroad company to extend the eastern terminus of their road beyond the borough of Harrisburg.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 533.

## AN ACT

To authorize John Nepomucene Neuman, Bishop of the Diocese of Philadelphia, to borrow money for the Church of Saint Mary of the Assumption, in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Right Reverend John Nepomucene Neuman, bishop of the diocese of Philadelphia, and his successors, bishops of Philadelphia, be and he is hereby authorized and empowered to borrow any sum of money, not exceeding ten thousand dollars, for the purpose of paying the debts, erecting and completing the church edifice and other necessary buildings, on the lot or piece of ground occupying the south-east corner of Vine and Prince streets, in the city of Lancaster, and upon borrowing such monies to make, sign, seal, execute and deliver a mortgage or mortgages, or other security or securities in the law, to the person or persons loaning the same upon said lot or piece of ground, and the church edifice and other buildings thereon erected, which said lot or piece of ground, church edifice and other necessary buildings shall thereupon become pledged for the payment of such money: Provided, That the said Right Reverend John Nepomucene Neuman, and his successors as aforesaid, shall at no time be held personally liable for the amount of money so borrowed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The third day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 534.

## AN ACT

To authorize a subscription to the Hempfield Railroad company, by the District of Spring Garden.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That full power and authority is hereby given to the president and treasurer of the district of Spring Garden, in the county of Philadelphia, to subscribe for two thousand shares in the capital stock of the Hempfield railroad company, in accordance with the provisions and directions of an ordinance, entitled "An ordinance providing for a subscription to the Hempfield railroad company," enacted by the board of commissioners at the Commissioner's Hall, Spring Garden, June twentieth, Anno Domini, one thousand eight hundred and fifty-three, and that all acts to be done and performed in carrying out the provisions and directions of said ordinance, shall be deemed and taken to be valid and effectual in law: Provided, That the bonds to be issued in payment of said subscription, shall not be of a less amount than one hundred dollars each.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

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We certify that the bill, entitled "An act to authorize a subscription to the Hempfield railroad company by the district of Spring Garden," was presented to the Governor on the seventeenth day of April, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him, wherefore it has, agreeably to the constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

*Clerk of the House of Representatives.*

THOMAS A. MAGUIRE,

*Clerk of the Senate*

Harrisburg, May 4, 1854.

No. 535.

## A SUPPLEMENT

To an act to incorporate the Pennsylvania Saving Fund of Philadelphia, approved the twelfth day of April, Anno Domini, one thousand eight hundred and fifty-one.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, 'That*  
 Division of stock. the stock of said company shall be divided into shares of fifty dollars each, and each stockholder at the time of subscribing, shall pay an instalment of five dollars for every share by him or her subscribed, and shall pay the remainder of the instalments at such time or times, and in such amounts as the directors may determine, and if any instalment or instalments required to be paid shall remain unpaid for a period of two months, it shall be in the power of the directors to declare such stock forfeited for the use of the institution, and shall order it to be sold at such time or times, and in such manner as they shall decide.

*SECTION 2. That each and every share of stock shall entitle*  
 Votes. the holder thereof to one vote, either in person or by proxy, at every election or meeting: *Provided, That said stock shall have*  
 Proviso. been held by the person offering to vote, for a period of at least two months preceding the election, and the only evidence of its having been so held, shall be the stock certificate or transfer book  
 Proviso. of the company: *Provided, That every stockholder may vote at any meeting or election held within three months after the first meeting of the corporators, who has held his or her stock five days preceding such meeting or election.*

*SECTION 3. That the affairs of said company shall be conducted and managed by a board of thirteen directors, of which the president of the company shall be one, they shall be subject to the same restrictions, perform all the duties, and have all the powers given to the corporators by the act of which this is a supplement, except such as are inconsistent with this act, and the said president and directors shall be elected annually by the stockholders, at such time and place as the by-laws shall provide; in case of a vacancy from death, resignation or otherwise, of the president, the board of directors shall fill his place until the next annual election.*

*SECTION 4. That the first election of president and directors shall take place within three months after the whole number of shares of stock shall have been subscribed, and the president and directors chosen at any election shall serve until the election of their successors, and the time and place to be fixed by the by-laws, and at least ten days' notice of such election, and every subsequent election of president and directors shall be published daily, in at least two newspapers, printed in the city of Philadelphia.*

*SECTION 5. That the seventh section of the act to which this is a supplement, be and the same is hereby repealed.*

*SECTION 6. That in consequence of the death of some, and the declination to act of other corporators named in the first*

Additional corporators.

section of the act, to which this is a supplement, the following named persons shall supply the place, and act in lieu of the corporators named in said section, namely, Joseph Yeager, Robert Morris, James Crissy, Joseph M. Thomas, William Vodges, John Lindsay, George Taber, Samuel W. Weir, Marmaduke Moore, James S. Earle, Thompson Reynolds, Edward C. Markley, James Magee, George Howell, Seth Craige, Joseph B. Lippincott, Edward H. Miles, Lewis Cooper, Robert V. Massey, John M. Bickel, John Holmes, M. D., who shall be invested with all the rights, powers and privileges conferred upon the corporators enumerated in said act, except such as are supplied by, or are inconsistent with the provisions of this act.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 536.

## AN ACT

For the suppression of the manufacture and sale of intoxicating Liquors, as a beverage.

WHEREAS, All laws to be efficient should have the approbation and sanction of the people: Preamble.

*And whereas,* It is represented that a large number, if not a majority of the citizens of this Commonwealth, are deeply impressed with the necessity of the passage of a prohibitory liquor law:

*And whereas,* It is impossible to obtain a certain indication of popular sentiment relative thereto by means of petitions and remonstrances; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of this Commonwealth are hereby authorized at the places for holding the general elections in their respective wards, boroughs and townships, on the the second Tuesday of October next, to vote for and against a law which shall entirely prohibit by proper and constitutional regulations and penalties, the manufacture and sale of intoxicating liquors, except for medicinal, sacramental, mechanical and artistical purposes.

Authority of citizens to vote in regard to a prohibitory liquor law.



Duties of officers  
elections.

SECTION 2. That the officers authorized by law to hold elections in each ward, borough and township of this Commonwealth, are hereby directed and required at the place fixed by law, in the several districts for the holding of the general elections in said districts, on the second Tuesday of October next, when they shall be organized as an election board, to receive from each qualified voter of their said districts, a ticket written or printed on the outside, "Prohibitory Liquor Law," and the tickets in favor of the proposed law shall contain in the inside the words, "For a Prohibitory Liquor Law," and those opposed to the proposed law shall contain in the inside the words, "Against a Prohibitory Law," which votes shall be counted and returned to the court house of the counties or city, in which the said election shall be held, on the following Friday by the return judges, who shall cast up and certify all the votes polled in said county or city, to the office of the secretary of the Commonwealth at Harrisburg, directed and transmitted in the same manner, the votes for Governor are required to be directed and transmitted, and the said secretary shall on the third Friday of January next ensuing, communicate the said returns to the Legislature, to be opened and counted in the same manner the votes for Governor are opened and counted, and considered as the prayer of the voters of this commonwealth relative to a prohibitory liquor law.

Election laws  
now in force  
made applicable.

SECTION 3. That all the election laws of the State prescribing the hours of opening and closing the polls, the reception of votes, the punishment for illegal voting, the defraying the expenses of publication, and holding of the general elections and return of the same, and all other matters incident thereto, be and the same are declared applicable to the election above authorized.

Sheriff's procla-  
mation

SECTION 4. That it shall be the duty of the sheriff of the several counties of this Commonwealth, to insert a copy of this act in the proclamation for the general election to be held on the second Tuesday of October next.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 537.

## AN ACT

To incorporate the West Ward Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis A. Gwinner, William Barnet, J. B. Odenwelder, H. M. Mutchler, Henry Keller, Melchoir H. Horn, Joseph Hiester, Thos. Bishop, Philip Johnson and W. H. Pompe, and they are hereby appointed commissioners, and authorized and empowered to establish a company to be called the West Ward Water company, for the purpose of introducing into that portion of the borough of Easton, lying west of a newly laid out street, called Sitgreaves street, and into such portions of Forks township, as are adjacent, a supply of pure water for the use of the inhabitants of the same; and it shall be the duty of the said commissioners or a majority of them, to procure a book in which they shall enter as follows: We, whose names are hereunto subscribed, do promise to pay the West Ward Water company, the sum of twenty-five dollars for every share of stock in said company set opposite to our names, in such manner and proportions as shall be determined on by the board of managers of said company. Witness our hands the                      day of Anno Domini, one thousand eight hundred and fifty-four. The said book shall be kept open for the purpose aforesaid, for ten days, due notice being given, or until four hundred shares shall have been subscribed, but no subscription shall be valid unless the person so subscribing, shall pay to the said commissioners at the time of subscribing, two dollars and a-half on each share subscribed.

SECTION 2. When one hundred shares or more of said stock shall have been subscribed, and the sum of ten per cent. paid thereon, the commissioners or a majority of them, shall certify to the Governor, under oath or affirmation, the names of the subscribers, and the number of shares subscribed by each, and that ten per cent. has been paid thereon; the Governor shall by letters patent, under his hand and seal of the Commonwealth, create and erect the subscribers, and if the subscription shall not be full at the time, then also, those that shall thereafter subscribe to the number of shares aforesaid, into a body politic and corporate in deed and in law, by the name, style and title of The West Ward water company, and by that name the subscribers shall have perpetual succession with all the privileges, franchises and immunities incident to a corporation, and be able to sue and be sued, to plead and be impleaded, in all courts of record and elsewhere: *Provided*, That nothing herein contained, shall be so construed as in any way giving to the said corporation any banking or trading privileges whatsoever.

SECTION 3. That any five or more of said commissioners shall, as soon as conveniently may be after the letters patent are obtained, give at least two weeks' notice in two newspapers published in Easton, of the time and place for the subscribers to



meet and hold an election for officers of said company, when such subscribers shall choose by ballot five managers, who shall be stockholders, to conduct the affairs of the company until the last Monday in January then next ensuing; and in all elections each stockholder shall be entitled to one vote for every share bona fide held by him; and the said managers shall appoint one of their number president of the board, who shall sign all certificates of stock; the president and managers shall have power to appoint a treasurer, secretary, and such other officers and agents as may be necessary, and to take such security from their treasurer, for the faithful discharge of his duties, as they shall see proper; and the election shall be held annually on the last Monday in January, at such place as may be appointed by the managers, of which at least two weeks' notice shall be given in one or more newspapers published in said borough; and when vacancies happen, the managers shall supply them from among the stockholders, until the next annual election: *Provided*, That no misnomer, nor failure of election of officers on the day appointed, shall discontinue or dissolve the said corporation, but the managers and officers shall continue in office until a new election, which shall be made at such time and place, and after such notice, as the board of managers may prescribe.

Proviso.

By-laws.

SECTION 4. That the president and managers, or any four of them, shall have power to adopt such by-laws, rules and regulations, as may be deemed expedient for the well-governing the affairs of the said company; and also, shall have power to call special meetings of the stockholders, whenever any circumstances occur which may render it necessary to consult them: *Provided*, That such by-laws, rules and regulations, shall in no wise contravene the constitution of the United States, nor of this Commonwealth.

Seal.

SECTION 5. That the president and managers shall procure a common seal, and the certificates of stock, and other official acts, shall be authenticated by affixing the same; and the president and managers shall procure certificates for all the shares of stock of said company, and shall deliver one such certificate, signed by the president, and countersigned by the treasurer, and sealed as aforesaid, unto each person, for each share held by him or her, as soon as the amount due thereon shall be paid; every such certificate shall be transferable in person, or by attorney duly authorized in the presence of the president or treasurer of said company, in a book to be kept by the company for that purpose; and the assignee holding such certificate, shall be a member of the company, and possess and enjoy all the rights and privileges, benefits and emoluments, to which he would have been entitled if he had been an original subscriber.

Meetings of president and managers.

SECTION 6. The president and managers shall meet at such times and places as shall be directed by their by-laws, and when met a majority shall be a quorum and in the absence of their president, a president pro tempore may be chosen from the number met, and all their transactions as well as every matter and things relating to the affairs of the corporation shall be entered in a book or books to be kept for that purpose, and a quorum being formed they shall have full power to employ and contract with the engineers, artist and such workmen as they may deem necessary to carry on and complete their intended works as well as to maintain, alter and repair the same, and also to fix the time and the manner and in what proportion the stockholder



shall pay the money due on their respective shares, and to draw on the treasurer for all moneys that may be required to carry into full effect this act or that may be required by their by-laws, rules and regulations and generally to do all such other matters and things as by this act or the by-laws, rules and regulations they shall be authorized to do.

SECTION 7. That it shall be the duty of the president and managers, as soon as may be after the company shall be organized for the purpose of introducing water into said West Ward, to purchase and hold in fee simple, or for any less estate, any spring or springs, stream or streams of water, or any water power or powers near or convenient to said West Ward, or any lands, tenements or hereditaments to which any spring or springs, stream or streams of water, or any water power or powers may be appurtenant with full power, the same or any part thereof in the whole of their works, to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and devise, and dispose of at their will and pleasure, and shall convey said water into the said West Ward and Forks township, by means of pipes, trunks, aqueducts or in such manner as they shall deem most advisable and convenient, and should they find it necessary to provide proper cisterns or reservoirs for the reception thereof, and for these purposes may enter into such lands and enclosures as may be necessary, and to dig, ditch and lay pipe through the same, the company doing as little damage as possible to private property, and the said president and managers shall at all times have liberty to renew and repair the pipes or trunks, cisterns or reservoirs wherever laid and constructed on and through private property, doing as little damage as possible, and shall also have liberty at all times to dig and lay pipes and trunks along roads and highways and streets of the said West Ward and Forks township, lying west of Sitgreaves street as described in the first section of this act, and to renew and repair the same, shutting up and amending any breaches which they may make as soon as possible.

Duties of president and managers.

SECTION 8. That the said West Ward water company shall from time to time and at all times furnish water for the extinguishment of fires free of charge to the borough, at points and places along improved property supplied with water by said company: *Provided*, That the town council of the said borough shall be at the expense of erecting and keeping in repair fire plugs, at the point and places above designated, and the said water company is also authorized to supply individuals and corporations with water for family and other purposes, for such compensation as may be agreed upon between the said company and individuals or corporations, or according to the rates adopted by said company.

Furnish water for extinguishment of fire, &c.

Proviso.

SECTION 9. That the president and managers may call in the capital stock by instalments as the same may be required, and if any stockholder shall neglect to pay after thirty days notice published in one or more newspapers in said borough, payment may be enforced by action of debt in the corporate name of said company against such delinquents as in other cases, and in case of inability to collect such instalment or instalments, said company may declare said delinquent stock and the money paid thereon forfeited for the use of the company, the president and managers shall declare dividends on the amount of stock paid in at such times as they may deem, meet and proper.

Instalments.

Damages, how  
ascertained and  
settled.

SECTION 10. That in case the owner or owners of any lands, through and upon which such ditch, pipes, trunks, aqueducts, reservoirs and cisterns are laid and constructed, or the owner or owners of land upon which it may be found necessary to enter, for the purpose of digging, taking and carrying away clay, gravel or other materials necessary for the purposes aforesaid, or the owner or owners of any spring or springs, stream or streams of water which may be used and appropriated by the company, or any person who may be injured by the appropriation or division of the waters used by said company, cannot agree with the said company upon the damages or compensation to be paid to the said owner or owners, person or persons, it shall and may be lawful for the parties to appoint, or if the parties cannot agree, then on application of the person or party complaining for the court of common pleas of Northampton county, to appoint three disinterested and suitable persons to ascertain and report to said court on oath or affirmation, what damages if any, have or will be done by said company, which report having been returned and confirmed by the court, judgment shall be thereon entered, and execution be issued therefor with costs, as in other cases: *Provided*, That either party may appeal from the report, or award to the court within twenty days after the same shall have been reported in open court, in the same manner that appeals are allowed from the award of arbitrators.

Proviso.

Penalty for injury  
to works.

SECTION 11. That any person who shall wilfully destroy or injure in any manner, the ditches, pipes, aqueducts, trunks, cisterns, reservoirs or any other of the works belonging to said company, erected in pursuance of this act, or shall wilfully corrupt or render unwholesome, or unfit for use the spring or springs, stream or streams of water used by said company, or the water in any ditch, dug or erected by the said company, or shall in any manner pollute or render noxious or offensive the said water, every such person so offending, shall forfeit and pay a sum not less than five nor more than one hundred dollars at the discretion of the magistrate, before whom suit may be brought for the same, and which penalty may be recovered with costs in the name of the said corporation, in the same manner that debts of one hundred dollars and under are recoverable, the one-half for the use of the person who shall give information, and the other half for the use of the company; and if any person against whom judgment shall be rendered as aforesaid, shall neglect or refuse to pay the amount of such judgment, and no goods or chattels of such person can be found whereof, to levy the same by execution, then such person or persons shall be committed to the jail of Northampton county, for any period of not less than one nor more than fifty days, at the discretion of the justice rendering such judgment, and shall, moreover, remain liable for the full amount of damages to the said company, in any other action instituted by them, and shall be subject to indictment for a misdemeanor, in the court of quarter sessions, of said county of Northampton.

Fine for using  
water without  
authority.

SECTION 12. That any person or persons who shall take or use any of the said water for any purpose or use whatever, without having previously contracted for the same, with the said company, shall forfeit and pay for every such offence, the sum of three dollars to the said company, to be recovered before a jus-



tice of the peace, in the name of said company, by action of debt.

SECTION 13. That the said company, if necessity require, shall have power at any time to borrow any sum of money, not exceeding ten thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for security and re-payment of the same: *Provided*, That no bonds for a less sum than one hundred dollars shall be issued. Power to borrow money.

SECTION 14. That the owners of the said freehold on and upon which the water of the said company is taken and used, shall in all cases be the parties with whom contracts, for the use of the water, shall be made, and the said real estate be bound for, and liable for the payment of the same. Contracts.

SECTION 15. That it may be lawful for the said company to increase the number of shares to eight hundred, in case it shall be found necessary for the due completion and extension of the objects and purposes intended by this act. Increase of shares.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 538.

### A SUPPLEMENT

To an act authorizing the School Directors of the borough of Washington to borrow money

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any loan which may be made in pursuance of the provisions of the act of twenty-eighth of January, one thousand eight hundred and fifty-four, authorizing the school directors of the borough of Washington to borrow money, shall be exempted from taxation; and the said school directors are hereby empowered to provide for the gradual liquidation of the said loan, by increasing the school tax within said district, above the rate fixed by existing laws: *Provided*, The same shall not exceed ten mills on the dollar yearly.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 539.

## A N A C T

To authorize the sale of the Neshoming bridge and make the same a free bridge

Transfer of property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the president and managers of the Frankford and Bristol turnpike road company, are hereby authorized and empowered to sell, convey and transfer the bridge, fixtures and appurtenances which connects the turnpike across the Neshoming creek, near its confluence with the river Delaware, in the county of Bucks, to the commissioners of the said county of Bucks, for any price not exceeding five thousand dollars.

Viewers to be appointed.

SECTION 2. The judges of the court of quarter sessions in and for the county of Bucks, are hereby authorized to appoint five qualified citizens of said county to view and examine the said bridge of the said turnpike road company, and make report thereof under their respective hands and seals, to the said judges of the court of quarter sessions in and for the said county of Bucks.

Viewers to be qualified.

SECTION 3. The viewers so appointed by the court shall be duly qualified by oath or affirmation, and in their report shall set forth that they have viewed and examined the said bridge, fixtures and appurtenances, and they shall set forth the valuation at which they assess the same, and they shall also set forth whether in their opinion they deem it to the advantage of the citizens and tax payers of the county of Bucks, to purchase the same in order to make it a free bridge for foot passengers and all other kinds of traveling over said bridge.

Report of viewers.

SECTION 4. If the valuation of said viewers for said bridge, appurtenances and fixtures, should not exceed five thousand dollars accompanied by a recommendation in form of the purchase of the same by the county commissioners, and the report be confirmed by the judges of the said court of quarter sessions in and for the county of Bucks, it shall be deemed full authority for the purchase of said bridge, on the part of the commissioners of the county of Bucks, and the said judges of the court are hereby authorized and directed to issue their orders to the commissioners of the county to purchase said bridge, fixtures and appurtenances, and to take possession of the same as soon as the terms of payment are arranged and acceded to by the said president and managers of the Frankford and Bristol turnpike road company.

Tolls repealed.

SECTION 5. Upon the convey and delivery of the said Neshoming bridge, fixtures and appurtenances on the part of the president and managers of the Frankford and Bristol turnpike road company, to the commissioners of the said county of Bucks, so much of their act of incorporation as authorizes the charge

of tolls on foot passengers and other travel over and across said Neshoming bridge, in the county of Bucks is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 540.

### A FURTHER SUPPLEMENT

To an act incorporating the Allegheny City and Freeport Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Allegheny City and Freeport railroad company, be and it is hereby authorized to extend its road, by the best and most practicable route, to the borough of Warren, in the county of Warren, and form connections with any other railroad which may be constructed in said county, for all railroad purposes.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 541.

### AN ACT

Relative to the Inland Safety Mutual Insurance company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the principle place of business of said company may be at any*

place in the county of Lancaster, that a majority of the directors for the time being may direct, and that the fourth section of the act to incorporate said company be, and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 542.

## AN ACT

Relative to the Borough of Meadville.

Boundaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the boundaries of the borough of Meadville, in the county of Crawford, shall be as follows, viz: Beginning on the eastern bank of French creek, on the north line of the original tract formerly owned by William Clark; thence eastwardly along said line to the north-east corner of said tract; thence northwardly along the original line of tract formerly owned by John Ellis, to the north side of Greendale cemetery lot; thence westwardly along the south line of said lot to the south-west corner thereof; thence northwardly along the dividing line, between the said cemetery lot and lot of Thomas J. Limber, to the Meadville and Brokenstraw plank road; thence westwardly along the centre of said plank road, leading from the State road, to the Douglas out-lots; thence north-westwardly along the centre of said road to the out-lots aforesaid; thence westwardly along the centre of the lane dividing out-lots numbers nineteen, seventeen, fourteen, eleven, eight and five, on the one side, from out-lots numbers eighteen, thirteen, twelve, seven and six, on the other side, and by the course of said lane or alley to the old Limber road; thence south-westwardly along the centre of said road to the Susquehanna and Waterford turnpike road; thence along the west side of said road southwardly, to the dividing line between lots of Doctor Goe, and the Reverend R. Craighead; thence westwardly along said line to the north-west corner of Craighead's lot; thence southwardly along the west line thereof, to the line dividing the land formerly owned by the late Colonel William Magaw, from land now owned by William Reynolds, esquire; thence westwardly along said line to the eastern bank of French creek; thence down the said*



stream, on the eastern bank thereof, by its various windings, to the place of beginning.

SECTION 2. That the burgess and town council of the borough aforesaid, shall have authority, with the consent and approval of the court of quarter sessions of said county, to lay out new streets and alleys, and to continue and extend those already laid out in said borough, on making compensation to owners for damages; which damages shall be ascertained and liquidated, in the same manner as is now provided by law in cases of public roads.

Authority to lay  
out new streets,  
&c.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 543.

## AN ACT

Relative to appointment of viewers of roads in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the court of quarter sessions, of Westmoreland county, in all applications for viewing and laying out public and private roads, or for reviewing the same, shall appoint three persons as viewers or reviewers, and all laws inconsistent with this act be, and the same are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 544.

## A N A C T

Relative to the Buckingham and Doylestown, and Lahaska and New Hope Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Buckingham and Doylestown turnpike road company, and the president and managers of the Lahaska and New Hope turnpike road company, are hereby authorized to make such joint arrangement, as they may deem expedient, for the collection of tolls on so much of their respective turnpike roads as is located between Centerville and Paxson's corner, on the old York road, in the county of Bucks; the officers of said turnpike road companies, to have full power and authority to authorize and require their respective toll gatherers, to charge and receive toll on all traveling passing on and over said portions of their road, as may pass through one gate, and charge for the whole distance traveled on portions of the road belonging to both companies; the said toll gatherers to account to the respective companies, the proportions of toll received for each portion or district of their respective roads: *Provided,* That no higher rate of toll shall be charged or received, than is determined by the acts and supplementary acts incorporating the said Buckingham and Doylestown turnpike road company, and the Lahaska and New Hope turnpike road company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 545.

## A FURTHER SUPPLEMENT

To the act, entitled "An act to incorporate the North-Western Mutual Insurance company, of Pennsylvania."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the affairs of the North-Western insurance company shall be

managed by a board of directors of not less than thirteen, and not more than thirty persons, and such officers, agents and committees as they may appoint, the directors shall have power to declare how many shall be elected, and what number less than the whole, shall constitute a quorum, they may at their option, authorize their secretary to open books for the subscription of a capital stock, to consist of not more than six thousand shares, of fifty dollars each, upon such terms and conditions as they may require and ordain: *Provided*, They may on the first Monday of April, in each year, declare a dividend of so much of the profits as to them shall appear advisable: *And provided further*, That each stockholder who is a lawful citizen of this State, shall be entitled to one vote on each share of stock held by them.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 546.

## AN ACT

To incorporate the Conneautville, Cussewago and Edenboro' Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Samuel G. Krick, G. W. Brown, C. B. Power, William Power, J. W. Haskell, E. B. Vantassell, William L. Robinson, of Conneautville, Warren Gill, Hiram Bradley and Forbes Potter, of Cussewago, and Alva Robinson, James H. Campbell, William M. Lowry and E. W. Gorrich, of Edenboro', and Luman Holcomb and Platt Rogers, of Spring township, be and they are hereby appointed commissioners to open the books, receive subscriptions, and organize a company by the name, style and title of the "Conneautville, Cussewago and Edenboro' plank road company," to locate and construct a plank road from Edenboro', in Erie county, through Cussewago Crossings to Conneautville; and the said company shall also have the right to continue said road from Conneautville to the Ohio State line, and also to make branch roads from the Rundle neighborhood, or Crossingville, to Meadville, or connect the same with the Meadville and Edenboro' plank road at Seagertown, subject to all the provisions, rights and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one

Commissioners.

Style.

Subject to provisions of certain act.



thousand eight hundred and forty-nine, and the supplements thereto.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of fifteen hundred shares of twenty-five dollars per share: *Provided*, That said company may, from time to time, at a meeting of the stockholders for that purpose, increase the capital stock to such an amount as, in their opinion, may be required to complete the same, according to the true intent and meaning of this act.

Proviso

Subscriptions.

SECTION 3. That it shall and may be lawful for the Erie and Edenboro' plank road company, to subscribe in the stock of the said Conneautville, Cussewago and Edenboro' plank road company, to any amount not exceeding ten per centum on the capital stock thereof; and that it shall be lawful for the said Conneautville, Cussewago and Edenboro' plank road company, in case of their commencing the work at Edenboro', and connecting with the Erie and Edenboro' plank road company, to receive tolls upon so much of the road as may be finished; but this provision shall not be construed to dispense with the provision for a view and report, and certificate from the Governor, when five miles shall have been completed.

Branches.

SECTION 4. That it shall and may be lawful for any number of citizens in the neighborhood of the said Erie and Edenboro' or Conneautville, Cussewago and Edenboro' plank road companies, to construct branches into said respective roads; but no such branch shall be constructed, to intersect either of said roads, without the consent of the company with which it is proposed to connect: *And provided*, That no such branch road shall exceed three miles in length.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 547.

## AN ACT

Regulating the mode of voting at special, township, borough and General elections, in Beaver and Lawrence counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the counties of Beaver and Lawrence, at all general, township, borough and special elections, are hereby*

hereafter authorized and required to vote by tickets printed or written, or partly printed or written severally classified as follows:

One ticket shall embrace the names of all Judges of courts voted for, and be labelled outside "Judiciary."

One ticket shall embrace the names of all State officers voted for, and be labelled "State."

One ticket shall embrace the names of all County officers voted for, including office of Senator if voted for, and to be labelled "County."

One ticket shall embrace the names of all members of Congress, and be labelled "Congress."

One ticket shall embrace the names of all Township officers voted for, and be labelled "Township."

One ticket shall embrace the names of all Borough officers, and be labelled "Borough;" and each class shall be deposited in separate ballot boxes.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—This fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 548.

## AN ACT

Authorizing the Surveyor of Mercer County to transcribe the Surveys made by former Deputy Surveyors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the county surveyor in and for the county of Mercer, is hereby authorized to copy into a suitable book all the original surveys made by former deputy surveyors in said county, on warrants, improvements or otherwise, with suitable indexes, direct and adsectum, and that the said book, when certified to be a true copy of the original, and submitted to and approved of by the court of general quarter sessions of the peace of said county, shall be received in evidence, in any judicial proceeding in the same manner as the original books, and that the commissioners of said county shall out of the funds of the county, pay the said county surveyor, a reasonable compensation to be by them fixed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 549.

## A FURTHER SUPPLEMENT

To an act entitled "An act to incorporate the Erie Fire and Marine Insurance Company of Erie county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth and tenth sections of the act to which this is a further supplement, together with the provisions in the first section of said act relating to the manner of receiving subscriptions to the capital stock of said company, be and the same are hereby repealed, and it shall be lawful for the persons named in the supplement to the said act to proceed immediately in the manner therein pointed out, in receiving the subscriptions to the capital stock of said company, and a majority of the executive committee may designate two additional persons who shall be joint members of said committee, for the time specified at their appointment.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 550.

## AN ACT

Authorizing the School Directors of the borough of New Castle to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of New Castle, Lawrence county, are hereby authorized to borrow any sum of money not exceeding five thousand dollars, and issue bonds for the same in sums not less than one hundred dollars each, bearing a rate of interest not to exceed six per cent. per annum.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 551.

## A N A C T

Relative to Collectors in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of the supplement to an act entitled "An act to revise the militia system, et cetera," approved April the thirteenth, one thousand, eight hundred and fifty-three, is hereby suspended so far as Luzerne county is concerned, for one year from the first Monday in December, one thousand eight hundred and fifty-three, and that the commissioners of said county are hereby authorized and empowered to exonerate collectors of the several townships for uncollected militia taxes, until the first Monday in December, one thousand eight hundred and fifty-four, the same as though the said third section had not been passed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 552.

## A N A C T

To authorize the completion of the Hospital attached to the Philadelphia County Prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling the inspectors of the Philadelphia county prison to complete and furnish the building erected for a hospital for the sick of said prison, as authorized by the twelfth section of an act entitled "An act to incorporate the Yellow Springs Improvement company, and for other purposes," approved the second day of April, one thousand eight hundred and fifty-three, the county commissioners, with the consent and approval of the county board, are hereby authorized to draw their warrant on the treasurer of Philadelphia county, for two

thousand five hundred dollars, to be paid by him out of any monies in the treasury not otherwise appropriated.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 553.

### AN ACT.

Declaring Andrews' Run in Pittsfield township, Warren county, a public highway

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the stream of water known as Andrews' Run, in Pittsfield township, Warren county, be and the same is hereby declared to be a public highway.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 554.

### AN ACT

To extend Walnut street in the borough of Blairsville, Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of the borough of Blairsville, be and they are*

hereby authorized and required to extend Walnut street in said borough to the northern and southern limits of said borough, and the damages if any, accruing to the owners of property in the continuation of said street shall be assessed by three disinterested persons agreed upon by the burgess of said borough, and said owners of property or their agents or a majority of them, and shall be paid out of the borough treasury.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 555.

## AN ACT

Relative to Roads and Bridges in Armstrong County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of the thirteenth of April, one thousand eight hundred and forty-three, entitled "An act supplementary to an act entitled 'An act relating to roads, highways, and bridges,'"* be and the same are hereby extended to the county of Armstrong.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 556.

## A N A C T

To divide the borough of Danville, in the county of Montour, into two wards.

Division into  
wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the borough of Danville, in the county of Montour, shall be divided into two wards, as follows, to wit: All that portion of said borough lying north of the canal, shall be called the north ward, and the remainder or all that portion of said borough lying south of the canal, shall be called the south ward.

Separate election  
districts.

SECTION 2. That the said north and south wards shall, from and after the passage of this act form two separate election districts, and the qualified voters therein, shall hereafter separately elect on the third Friday, in March next, and on the third Friday, in March, in every year thereafter, one assessor, one judge and two inspectors, to conduct the general and borough elections in said wards, and at such times as are directed by the existing laws of this Commonwealth, a constable and two justices of the peace in each of the said wards, and all such other officers as are allowed to the borough or townships in this county.

Officers.

SECTION 3. That for the purposes of conducting the next general and ward elections, to be held in October and March next, for the north and south wards of the borough aforesaid, held under the provisions of this act, Egbert Thompson is hereby appointed judge, and James Gaskins, to act with William G. Wolfinger, as inspector of the said north ward elections, and William H. Hassenpug, is hereby appointed judge, to act with Peter Hughs and Samuel Hammor, inspectors, to conduct said elections in the south ward.

Ballot boxes, &c.

SECTION 4. That it shall be the duty of the commissioners of the county of Montour, to furnish to the judges and inspectors of each of the said wards, the same ballot boxes, blank forms, list of taxables and other matters, as are now furnished to judges and inspectors of elections in said county.

Borough officers.

SECTION 5. That all officers now holding office in the said borough, shall continue to act as officers of said borough, until the expiration of their terms of office.

Place of holding  
elections.

SECTION 6. That the brick school house in the north ward, shall be the place for holding the general and borough elections therein, and the court house in the south ward, shall be the place for holding the general and borough elections therein.

Repeal.

SECTION 7. That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 557.

## A N A C T

To authorize the Westmoreland Coal Company to increase their capital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Westmoreland coal company, incorporated under the provisions of the general law for the encouragement of manufacturing operations, and the supplement thereto, shall have power to increase their capital stock to the extent of six thousand shares of fifty dollars each: Provided, They shall be subject to the tax imposed by the general manufacturing law for the increase on their capital.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 558.

## A N A C T

To incorporate the Lykens' Valley Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry Matter, Daniel Smith, Daniel Swab, Henry Kintzleman, Daniel Miller, Henry Hartman, George Gilbert, Michael Miller, Jacob Swab, junior, Simon Sallade, Christian Hoffman, Christian B. Miller, A. Q. Bender and Isaac Burd, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be a body politic and corporate, by the name of the "Lykens' Valley mutual fire insurance company," and by that name shall have perpetual succession, and may sue and be sued, and hold, purchase, receive and convey real and personal estate, (with the limitations hereinafter specified,) and may have and use a common seal, and alter or change the same at pleasure, and make by-laws, not inconsistent with any existing law, for the management of its property, and the regulation of its affairs; but nothing herein contained, shall be

Corporators

Style.

Privileges.

construed to give unto the said corporation any banking powers or privileges.

Insurance against  
losses by fire.

SECTION 2. That in addition to the general powers and privileges of a corporation, as the same are declared by the foregoing section, the corporation hereby created, shall have the power to insure against losses by fire, upon any house, tenement, barn, manufactory, store, warehouse or other building, and on goods, wares, merchandise and effects, hay, grain and other agricultural products contained therein or upon the land, or in stacks, sheds, out-houses or otherwise, and upon buildings generally, and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments, as shall or may be necessary, and as the nature of the case shall or may require.

Real Estate.

SECTION 3. That the real estate which it shall be lawful for the said corporation to purchase, receive, hold and convey, shall be—

I. Such as may be requisite for its immediate accommodation in the convenient transaction of its business, or

II. Such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for moneys due, or

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted, or in the course of its dealings, or

IV. Such as shall be purchased at sales upon judgments, decrees, or mortgages obtained or made for debts due said company, or for debts due other persons where said company have liens or incumbrances on the same, and the purchase is deemed necessary to save the company from loss on the liens or incumbrances held by it; and said corporation shall not purchase, receive, hold, or convey real estate in any other case, or for any other purpose: *Provided*, That no real estate acquired by the corporation, excepting that requisite for the transaction of its business, shall be retained by said corporation, for a longer period than seven years.

Proviso.

Membership.

SECTION 4. That all persons who shall hereafter become insured in the said corporation, and also their executors, administrators and assigns continuing to be insured in said corporation, as hereinafter provided, shall thereby become members for and during the period they shall remain so insured, and no longer.

Board of  
directors.

SECTION 5. That all the corporate powers of the said company, shall be exercised by a board of seven directors, and such officers and agents as they may appoint: the persons named in the first section of this act, or a majority of them, shall meet in Elizabethville within thirty days after this law shall be approved by the Governor, and from their number shall elect seven persons to serve as directors until others are elected in their stead; and on the same day of each year thereafter, the members of the corporation shall meet at such place in the township of Washington as the corporation in their by-laws shall appoint, for the election of a new board of directors, who shall continue in office for one year, or until others shall be elected in their stead; and in the event of a failure to elect on the day herein appointed for such annual elections, the election shall be held as soon thereafter as practicable, public notice of time and place thereof having been given, by advertisement, in at least twenty public places in the county of Dauphin, by



written or printed handbills, ten days before the holding of the same.

SECTION 6. That every election for directors shall be by ballot, Elections to be held by ballot. to be decided by a majority of the votes, and shall be conducted under the inspection of three members of the corporation, not directors nor candidates for any office in the corporation, to be appointed by the directors for that purpose, each member shall be entitled to one vote.

SECTION 7. That the board of directors, for the time being, Officers. shall choose a member of the board to act as president; they shall also annually appoint a secretary, a treasurer, and one or more surveyors, and, from time to time, agents or such other officers as shall be deemed necessary for the proper conducting of the affairs of the corporation; they shall fix the respective salaries and fees of the officers or agents by them appointed, shall have power to displace any such officers or agents, and to supply any vacancy which may happen, by the death, resignation or displacement of any incumbent, either in their own board or in the officers or agents of the corporation. A majority of the board of directors shall constitute a quorum for the transaction of business.

SECTION 8. That the directors may determine the rates and Rates. terms of insurance, and limit the amount to be insured.

SECTION 9. That every person who shall become a member of Members to contribute for losses. this company by effecting insurance therein, who shall, at and before the time when he receives his policy, make the deposit and pay the rates that may be fixed and determined by the board of directors, and shall stand bound to contribute his proportion according to the amount of his deposit and payment of any loss or losses that shall happen to or be incurred by the corporation, during the time or period for which he or she shall have been insured, and the said deposit and payment shall be and remain as a pledge for the faithful performance of his or her covenants to and with the corporation, and upon the withdrawal of any member at the expiration of the time of his or her insurance, the said deposit and payment, together with a proportionate share of the profits, after deducting losses and incidental charges, if any thing remain, shall be relinquished to him or her, his or her executors, administrators or assigns: *Provided*, That if the said property be not demanded within Proviso. one year from the time of his or her withdrawal, they shall be forfeited to the corporation.

SECTION 10. That in case any assured, named in any policy Assignments. or contract of insurance made by the said corporation, shall sell, convey, assign, pledge or incumber the subject insured, it shall be lawful for such assured to assign and deliver to such purchaser, assignee, bailee, or person holding such incumbrance, such policy or contract of insurance, and such assignee of the policy or contract of insurance, shall have all the benefits thereof, and may bring and maintain a suit thereon, in his own name: *Provided*, That before any loss shall have happened, the Proviso. president or secretary of the corporation shall, under his proper signature, endorse or annex to such contract or policy of insurance his approval of such assignment, to be according to the established regulations, for that purpose and not otherwise.

SECTION 11. That when any member of this corporation shall Notice to be given of losses. sustain any loss or damage by fire, he or she shall give immediate notice to the president and directors of the company, at

their office, to the end that the directors, their officers and agents, may examine and inquire into the same.

Rates of contribution.

SECTION 12. That the directors for the time being shall with all convenient expedition after any loss sustained, settle a rate or contribution according to the amount deposited, and publish the same in such manner as they shall think fit, and when such rate shall exceed the dividend of interests or profits on the amount of all monies deposited, all and every of the members of the company shall pay into the hands of the treasurer or agent who may be appointed to collect the same, his or their proportionable part of such rate within sixty days after such publication as aforesaid, and in default of such payment he or they and every of them making such default therein shall forfeit and pay double the said rates, and neglecting to pay the said forfeiture for thirty days more shall or may by the directors for the time being be excluded and debarred from any benefit or advantage from his or their insurances respectively, and all right to the stock of this corporation, and shall notwithstanding be liable to the said rates pursuant to his or their covenants and agreements.

Investment of capital.

SECTION 13. That it shall be lawful for the said corporation to invest their premium profits and capital in bonds, mortgages, ground rents, stocks and loans of the United States and State of Pennsylvania, and on security on real estate, and to sell, transfer and change the same and re-invest the funds of the said corporation when the directors shall deem it expedient.

Suits may be maintained.

SECTION 14. That suits at law may be maintained by said corporation against any of its members for any cause relating to the business of the corporation, also suits at law may be prosecuted and maintained by any member against the corporation, for losses or damages by fire if payment be withheld more than three months after the company is duly notified of any such loss or damage, and no member of the corporation shall be debarred from testifying in any case on account of his being a member of the said corporation, and no member or officer of the said company not being in his individual capacity, a party to such suit shall on account of his being a member or officer of the corporation be disqualified or rendered incompetent as a witness in any such suit.

Statement of affairs.

SECTION 15. That the officers of the corporation shall at the annual meeting for the election of directors in every year, cause a statement to be made of the affairs of the company, and a balance to be struck of the profit and loss account, and if there be a surplus after paying all the losses and expenses incurred by the company for the year then preceding, each member shall be credited with such proportion of such surplus as his deposit or payment may bear to the aggregate of deposits or payments.

Balance statement.

SECTION 16. That within thirty days after the annual meeting for the election of directors in every year, it shall be the duty of the officers of the corporation to cause to be made and published by at least thirty six written or printed handbills in the said valley, a general balance statement of the affairs of the corporation such statement shall contain.

I. The amount of deposits and premium received, and the amounts derived from interest on loans and investments during the same period.

II. The amount of expenses of the company during the same period.



III. The amount of losses incurred during said period.

IV. The amount remaining with the company.

V. The nature of the security on which the same is loaned and the amount of cash on hand, and generally all other matters necessary for a full exposition of the affairs of the corporation.

SECTION 17. That the office of the said corporation shall be Office. located at such places as the directors may establish.

SECTION 18. That the directors shall have authority to reward out of the funds of the corporation, such persons as are volun- Rewards. tarily and usefully active in cases of fire.

SECTION 19. That the Legislature may at any time alter or repeal this act, in such manner however as shall do no injustice Reservation. to the corporators, or wrongfully affect any contract or engagement made by the corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 559.

## AN ACT

Exempting the real estate of the Washington Cemetery Company from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate held and devoted to burial purposes by the Washington Cemetery company, in Washington county, laid out, enclosed and used for purposes of sepulture, and all lots therein, and all lots sold or to be hereafter sold for said purposes by the said corporation, shall be forever exempt from taxation, and shall also be free from seizure, levy or sale, under or by virtue of any execution or other legal process: *Provided,* That the said real estate held by the said corporation shall not exceed twenty-five acres: *And provided further,* That nothing herein contained shall be so construed as to exempt the lots sold by the said corporation, from such assessments or taxations as may be made by the managers, for cemetery purposes.

SECTION 2. That lots in the said cemetery may be transferred upon the books of the said corporation, with the consent of the managers thereof, and such transfers shall be as good and valid



in law, as if the deeds were acknowledged in the usual form, and placed upon the records of the county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 560.

## A N A C T

To regulate the Killing of Game in Bedford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall not be lawful for any person or persons to buy, sell or shoot, or otherwise kill, in the county of Bedford, any pheasant, partridge or rabbit, between the first day of January, and the fifteenth day of September in each year, nor woodcock, between the first day of January, and the first day of July in each year; and any person or persons offending against any of the provisions of this act, shall forfeit a penalty of five dollars for each and every offence, with all costs and charges, the same to be recovered, before any justice of the peace in the said county, as debts of like amount are by law recoverable, the one-half of said fine to the use of the informer, who is hereby made a competent witness, and the other half to the directors of the poor of said county, for the use of the poor thereof.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 561.

## A SUPPLEMENT

To the act incorporating the Allegheny and Butler Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said plank road company may and they are hereby authorized to erect a toll gate in the borough of Duquesne, through which said road passes, and at any other point or points on said road that may be found necessary for the collection of tolls, in accordance with their charter.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 562.

## AN ACT

To prescribe the manner of Collecting certain Taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a tax is charged upon the tonnage of any railroad in this Commonwealth, the distance shall be estimated, by taking the nearest whole number of miles, rejecting fractions not greater than half a mile, and adding one to the whole number, when the fraction is more than half a mile.

SECTION 2. That the tax shall be charged on the whole distance, from the place of shipment, to the place of delivery, whether the shipment be made upon a siding or branch belonging to the company which pays the tax, or upon the main line, subject to the provisions of section one of this act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 563.

## A SUPPLEMENT

To the act relating to Executors and Administrators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in suits now pending or hereafter to be brought in the courts of this State, if the plaintiff be dead or shall die during the pendency thereof, and no letters of administration or testamentary have been or shall be taken out in this State within one year after the suggestion of the death of said party upon the record, it shall not be the duty of the defendant to raise an administrator for the purpose of prosecuting the same, but the said suits shall abate and the prothonotary of the proper court shall make an entry accordingly: Provided, That the court shall direct a notice to be served on the executors or next of kin of the decedent entitled to administration, one month before such entry shall be made of which notice affidavit shall be made and filed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 564.

## AN ACT

Relative to weigh Masters of Railroads, in Schuylkill County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall be the duty of the collector or weigh master on each and every of the several railroads within the county of Schuylkill, to weigh separately each and every consignment of coal passing over said railroads, and keep a correct record of such consignments, in a book or books, to be kept for that purpose, and on application shall furnish monthly to each and all the owners (or their agents,) of coal lands lying in said county, of Schuylkill, a certified copy of the record of the weights of each kind of coal, and each and*



every separate consignment of coal passed over the scale of each of said railroads, respectively mined from lands of said owners, and for each and every certificate so furnished, the said collectors or weigh masters shall be allowed to charge the sum of twelve and a-half cents, and any collectors or weigh master refusing to furnish such certificate on application as aforesaid, shall be subject to a fine or penalty of fifty dollars for each and every such refusal, to be recovered as sums of like amount are now recoverable by law: *Provided*, That nothing herein contained shall alter or change the authority of any of the said railroad companies to charge the rates now allowed to be charged for weighing coal.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 565.

## A FURTHER SUPPLEMENT

To an act regulating Election Districts, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the fifty-second section of an act regulating election districts, and for other purposes, passed the first day of April, one thousand eight hundred and thirty-six, be and are hereby extended to the county of Allegheny.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 566.

## A SUPPLEMENT

To an act incorporating the Coal Hill and Upper Saint Clair Turnpike and Plank Road Company.

Tolls regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Coal Hill and Upper Saint Clair turnpike and plank road company, shall have power to charge and receive the one half of the amount of toll now allowed, to be charged and received on that portion of said road that is brought to a grade of three degrees during the months of April, May, June, July, August, September, October, and during the same months in each and every year until said road is completed.

Erection of toll gates.

SECTION 2. That the board of managers of the Coal Hill and Upper Saint Clair turnpike and plank road company, shall have the power to erect a toll gate on that portion of said road that is brought to a grade of three degrees.

Repeal.

SECTION 3. That the sixth section of an act entitled "An act providing for a lock-up house in the borough of Harrisburg, relative to the auditors of said borough and the collection of taxes in the same, et cetera," approved the twenty-sixth of February, one thousand eight hundred and fifty-two, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 567.

## AN ACT

Making valid Deeds of Conveyance heretofore made in any of the other of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any and every deed of grant, bargain and sale, release, or other deed of conveyance or assurance of any lands, tenements or

hereditaments in this Commonwealth, heretofore bona fide made, executed and delivered by husband and wife, or other grantor or grantors within any other of the United States where the acknowledgment of the execution thereof has been taken and certified, by any officers in the State, where the same was made and executed, and the acknowledgment thereof taken, who was authorized by the laws of such State to take and certify the acknowledgment of deeds of conveyance of lands therein, shall be deemed and adjudged to be as good, valid and effectual in law, for transferring, passing and conveying the estate, right, title and interest of such husband and wife, or other grantor or grantors of, in, and to the lands, tenements and hereditaments therein mentioned, and be in like manner entitled to be recorded, and if recorded, such record thereof shall be as good and effectual, as if the acknowledgment of the execution of the same deed, had been in the same and like, way, manner and form, taken and certified by any judge, alderman or justice of the peace of and within this Commonwealth.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 568.

## AN ACT

Relative to the several Courts in the Tenth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several courts in the county of Armstrong shall commence and be holden on the first Mondays in the months of March, June, September and December each term, to continue two weeks if necessary, except the June term, which shall continue but one week; and that the several courts in the county of Indiana shall commence and be holden on the fourth Mondays in the months of March, September and December, and on the third Monday in June, each term to continue two weeks except the September term, which shall continue but one week, and so much of any law as is hereby altered is hereby repealed.

SECTION 2. The provisions of this act and of the act entitled "An act relative to the several courts in the tenth judicial district," passed the twentieth day of February, Anno Domini, one thousand eight hundred and fifty-four, shall not go into opera-



tion or take effect until the first day of July, one thousand eight hundred and fifty-four.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 569.

## AN ACT

To attach a Law School to the Lock Haven Academy, in the county of Clinton.

Law school

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the trustees of the Lock Haven academy, in the county of Clinton, to attach to said institution a law school or department, under the name of the Lock Haven Law School, for the tuition and instruction of students who may desire to study law, and for this purpose the said trustees are hereby authorized to purchase such law books for a law library, for the use of said law department as the may deem necessary.

Employment of  
professor or  
teacher

SECTION 2. That the said trustees are authorized to appoint and employ a professor or teacher in said law department, and to determine the salary or pay of such professor or teacher; the said law school to be located in the borough of Lock Haven, and to be under the supervision of said trustees, and the same to be kept open and continued during the sessions of said academy, and the said trustees shall determine the rates of tuition of students in said law school, and the said professor shall have power and authority to give and grant such diplomas or certificates to students taught in said law school, under the seal of the said academy, as are usually granted in other law schools, and which may authenticate and perpetuate the memory of the graduation of any students who may be taught therein.

Students may be  
admitted to  
practice.

SECTION 3. That it shall be lawful for the courts of the county of Clinton, or any of the courts of this Commonwealth other than the Supreme court, to admit to practice in said courts any students of said law school, who shall have studied therein for a period of two years upon certificate of said professor or teacher of such study, and upon the said courts being satisfied of the character and qualifications of the applicant, although any such

student may not have studied as provided for in the rules of such courts.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 570.

## AN ACT

To incorporate the Six-Penny Saving Fund of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Corporators.  
Peter Williamson, Thomas T. Tasker, John Thompson, Francis Scoffin, M. D., George Ord, George C. Snyder, William Clark, Oscar Thompson, Thomas S. Reid, M. D., Benjamin B. Myrick, Jesse Williamson, jr., Henry B. Tatham, James W. Eldridge, Stephen P. Morris, D. H. Flickwir, John B. Austin, Benjamin Gerhard, Casper Morris, M. D., Edwin M. Lewis, Ephraim Clark, junior, William T. Elbert, Charles E. Lex, A. May Stevenson, Charles Dutigh, B. B. Comegys, Lewis Lewis, Henry L. Benner, Joseph Wood, Edward L. Clark, Charles Platt, Robert Lewis, William H. Bacon, S. Austin Allibone, Frederick Græff, Joshua Lippincott, junior, Edward C. Biddle, Charles Keen, Joseph Warner, John Miller, Charles Y. Yerkes, Peter Rambo, John Robbins, junior, Michael Day, Washington Butcher, Samuel T. Bodine, James Russell, William C. Ludwig, A. Miskey, George Williams, N. B. Brown, William T. M'Neely, Ellis Yarnall, and their successors for ever, shall be and they are hereby erected and made one body politic and corporate in deed and in law, by the name, style and title of the "Six-Penny Style  
Saving Fund of Philadelphia," and by the same name shall have perpetual succession, and also make, have and use a common seal, shall and may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law within this Commonwealth and elsewhere, and to be located in such part of the city or county of Philadelphia as they may deem proper. Privileges.

SECTION 2. That the real estate which it shall be lawful for Real Estate.  
the said corporation to purchase, hold and convey, shall be—

I. Such as may be requisite for its accommodation, for the convenient transaction of its business.

II. Such as shall have been mortgaged to it in good faith, for moneys loaned in pursuance of the provisions of this act.

III. Such as shall have been purchased at sale upon judgments or decrees obtained or rendered for moneys so loaned; and the said corporation shall not purchase, hold, or convey real estate in any other case, or for any other purpose; and all such real estate as is described in the second and third sub-divisions of this section, may be sold by the said corporation, at any time they may deem expedient, after the same shall be vested in it by purchase or otherwise.

Trustees not to  
receive compen-  
sation

SECTION 3. That the trustees of said corporation shall not, as such, directly or indirectly receive any payment or emolument for their services.

Business how  
managed

SECTION 4. That the business of the said corporation shall be managed and directed by the said board of trustees, who shall, as soon as practicable after the passage of this act, and annually thereafter on the third Monday in January, elect from their number a president, six vice presidents, and such other officer and officers as they may deem proper; eight of said trustees, of whom the president or one of the vice presidents shall be one, shall form a quorum for the transaction of business, and the affirmative vote of at least seven members of the board, shall be requisite in making any order for authorizing the investment of any moneys, or the sale and transfer of any stock or securities belonging to the corporation, or the appointment of any officer receiving any salary therefrom.

First trustees  
and vacancies.

SECTION 5. That the persons named in the first section of this act shall be the first trustees of the said corporation, and all vacancies by death, resignation or otherwise in the office of trustees, shall be filled by the board by ballot without unnecessary delay, and at least six votes shall be necessary for the election of any trustee, and subject also to the approval of the president judge of the district court of the county of Philadelphia, the said trustees shall hold a regular meeting at least once in each month, to receive the reports of their officers as to the business and affairs of the corporation, and to transact such business as may be necessary, and any trustee omitting to attend the regular meetings of the board for six months in succession, may thereupon at the election of said board be considered as having vacated his place and a successor may be elected to fill the same; the presiding judge of the district court may at any time for due cause remove any trustee, on proper notice to such trustee and affording him an opportunity to be heard in his defence.

Object of the  
corporation

SECTION 6. That the general business and object of the corporation hereby created, shall be to receive on deposit such sum or sums of money as may be from time to time offered therefor by mariners, tradesmen, clerks, mechanics, laborers, minors, servants and others, and investing the same in the securities or stocks of this State or of the United States, and on bond and mortgage on improved real estate, loaning the same on the securities of this State or of the United States, or in the stocks and bonds of any corporation authorized to be issued by the Legislature of this State: *Provided*, That the amount loaned on the same shall not exceed two-thirds of their current market value, or in such other manner as is authorized by this act, for the use, interest and advantage of the said depositors and their legal representatives, and the said corporation shall receive as deposits from persons of the description above mentioned, all sums of money which may be offered for the purpose of being invested or loaned as afore-

Proviso.



said, which shall as soon as practicable be invested or loaned accordingly, and shall be repaid to such depositor when required, at such times with such interest and under such regulations, as the board of trustees shall from time to time prescribe, which regulations shall be put up in some public and conspicuous place in the rooms where the business of said corporation shall be transacted; but no by law or regulation shall be adopted by said trustees, whereby any amount exceeding the sum of five cents shall be refused by the corporation hereby created when offered as a deposit by any individual, and the regulation so adopted shall not be altered so as to affect any deposit previously made; no president, vice president, trustee, officer or servant of said corporation shall directly or indirectly borrow the funds of said corporation or its deposits, or in any manner use the same or any part thereof, except to pay necessary expenses under the direction of the said board of trustees; all certificates or other evidences of deposits made by the proper officers of said corporation, shall be as binding upon the corporation as if they were made under the common seal; it shall be the duty of the trustees of said corporation to regulate the rate of interest to be allowed to the depositors, so that they shall receive as nearly as may be a ratable proportion of all the profits of said corporation, after deducting all necessary expenses; whenever it shall appear that there is an excess of twenty-five thousand dollars in the possession of the said corporation, after the payment of the usual interest to the depositors, that sum shall be invested for the security of the depositors in said corporation, and thereafter at each annual examination of the affairs of the said corporation, any surplus over and above the said sum shall in addition to the usual interest, be divided ratably amongst the depositors in such manner as the board of trustees shall direct; and it shall be the duty of the trustees of said corporation to invest or loan as soon as practicable, in public stocks or public securities, or in bonds and mortgages, as provided for in this act, all sums received by them beyond an available fund of ten per centum on the amount of deposits which may by them be kept on deposit, on interest or otherwise, in such available form as the board of trustees may direct, to meet the current payments of said corporation.

SECTION 7. That the board of trustees of the said corporation shall have power from time to time to make, constitute, ordain and establish such by-laws, rules and regulations as they shall judge proper for the election of their officers, for prescribing their respective functions and the mode of discharging the same, for the regulation of the times of meetings of the officers and trustees, and generally for transacting, managing and directing the affairs of the corporation: *Provided*, Such by-laws, rules and regulations are not repugnant to the constitution or laws of this State or of the United States or to this act.

By-laws, &amp;c.

Provide.

SECTION 8. That the subordinate officers and agents of the said corporation shall respectively give such security for their fidelity and good conduct, as the board of trustees may from time to time require, and the said board shall fix the salaries of such officers and agents.

Security of officers.

SECTION 9. That the said corporation shall in the month of January, and every year hereafter make a report to the Legislature of this State of their funds and investments.

Report.

**Power of trustees.** SECTION 10. The said board of trustees shall have full power at their discretion, to pay on application the check, proper receipt or order of any minor or married woman, such money or any part thereof as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon without the assent or approbation of the parent or guardian of such minor, or the husband of such married woman, as the case may be, and it shall not be lawful for the parent or guardian of such minor or the husband or creditors of the husband of such married woman, to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman.

**Report to Legislature the aggregate amount of deposits.**

SECTION 11. That the board of trustees shall also in the month of January in each year, report to the Legislature of this State, the aggregate amount of the deposits on hand with the interest and dividends which have accrued thereon, and also the unclaimed deposits on which at least the sum of five dollars shall then be due, and which shall have been deposited by persons who have not within the two years next preceeding said report made a deposit or received a dividend or payment from said corporation, and shall publish the same in one or more of the newspapers published in the city of Philadelphia; and the misnomer of said corporation in any instrument shall not vitiate or impair the same, if it be sufficiently described to ascertain the intention of the parties.

**Examination of affairs.**

SECTION 12. That the judges of the district court or court of common pleas for the city and county of Philadelphia, may at any time on the application of a trustee or depositor in said corporation, and on reasonable cause shown therefor to the satisfaction of said court, appoint one or more persons to examine into the investments thereof and its affairs and business generally; the books, papers and business of said corporation shall be open and subject to the examination of such person or persons, and the trustees, officers and clerks thereof, or any other person may be examined on oath by such person or persons; and the said court may confer such further powers on the person or persons so appointed, as they may consider necessary, for the more thorough and perfect examination of the affairs and business of said corporation; the said person or persons so appointed shall report the result of their investigation to the said court, who if satisfied thereby that any trustee, officer or servant of said corporation has been guilty of any fraud or misconduct, may remove such person or persons, and make further order and take such further measures for securing the funds and property of said corporation as the said court shall deem expedient.

**Interest on deposits how estimated.**

SECTION 13. That interests on deposits shall be estimated by calender months; and in order to avoid the calculation of days upon small sums, no interest shall be allowed for the fractional parts of a month.

**Additional powers of trustees.**

SECTION 14. That the trustees of said corporation shall have full liberty at any time, on account of illegal or improper conduct on the part of a depositor, or for any other reason, to refuse deposits from the same, and also forthwith to pay off and close the accounts of such depositors; and whenever it shall become apparent to the trustees or officers of the said corporation that it would be unwise and injurious to the interest of a minor to pay his or her order or check, or, upon his or her application, any money standing to his or her credit, the said trustees may demand a written order to make such payment, from the parent

or guardian of such minor, as the case may be; and in the event of the minor having neither parent nor guardian, may require an order from one of the judges of the district court of quarter sessions of Philadelphia county, before making the payment.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 571.

### AN ACT

Authorizing the School Directors of Milford township, Somerset county, to sell a certain school house and lot of ground.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of Milford township, in the county of Somerset, be and they are hereby authorized to sell and convey a certain school house and lot of ground in said township, known as the Pile school house, and apply the proceeds of said sale to the school fund of said township.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 572.

## A N A C T

Relative to the collection of taxes in Nockamixon township, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the collection of State and county taxes in the township of Nockamixon, in the county of Bucks, shall be given to the lowest bidder for the same, and proposals therefor may be presented at the commissioner's office in said county, in the month of February in each year, the difference between the compensation now allowed by law for the collection of such taxes, and the bids obtained under the provisions of this section shall be paid into the school fund of said township: Provided, That security shall be required of the collector as in other cases: And provided further, That before this act shall take effect the question shall be submitted to and approved of by a majority of votes of the qualified voters of said township.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 573.

## A N A C T

To incorporate the Halter Creek Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John W. Duncan, Daniel Holsinger, Joseph Long, James Madara, and Daniel Dick, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Halter Creek Turnpike road company, to locate and construct a turnpike road from the Morrison Cove turnpike road, at or near Upper Maria Forge, in Blair county, to Bloomfield Furnace, in Bedford*

county, by the best and most practicable route, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with this and the following section of this act.

SECTION 2. That the capital stock of the said company shall consist of two thousand and four hundred shares, of twenty-five dollars per share: *Provided*, That the said company may, from time to time, at a meeting of the stockholders, called for the purpose, increase their capital stock to such an amount as, in their opinion may be required to complete the road, according to the true intent and meaning of this act.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 574.

## AN ACT

Relating to the Revival of Judgments before Justices of the Peace.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, no execution shall be issued on a judgment rendered before a justice of the peace or alderman, after five years from the rendition of such judgment, unless the same shall have been revived by scire facias or amicable confession.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 575.

## AN ACT

To incorporate the Wyoming county Plank Road or Turnpike Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Commissioners. Daniel Wright, Sherman D. Phelps, A. K. Peckham, John Bunnell and Cyrus P. Miller, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the
- Style Wyoming County plank road or turnpike road company, with power to construct a plank road or turnpike road from the borough of Tunkhannock, in Wyoming county, to the Delaware, Lackawanna and Western railroad in said county of Wyoming; the
- Route. best route or routes the stockholders may determine upon, subject to the restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto so far as they are consistent with this act.
- Capital stock SECTION 2. That the capital stock of said company shall consist of four hundred shares of twenty-five dollars each, with power to increase their capital stock to eight hundred shares of like amount.
- Right to use public roads. SECTION 3. That said company shall have the right to construct their road upon any of the public roads between the points specified, or bridge or bridges that may be on said route or road, and if they shall not commence the construction of their road within three years after the passage of this act and finish the same within five years, then this act to be null and void except so far as it shall be necessary to wind up the affairs of said company.
- Erection of gates. SECTION 4. That it shall be lawful for the said company to erect and set up gate or gates, and to levy and collect tolls from persons traveling along or otherwise using the said road, at the rates prescribed in the act regulating turnpike and plank road companies already referred to, without further licenses, so soon as they shall have completed three miles of their said road.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 576.

## A SUPPLEMENT

To an act, entitled "An act to authorize the Common School Directors of Lower Chanceford township, York county, to sell certain School Houses in said school district; to incorporate the Farmers' Mutual Fire Insurance Company, and for other purposes," approved the sixth day of April, A. D., one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section three of said act, to which this is a supplement, be amended to read as follows: "That the object and business of said corporation shall, and is hereby prescribed to be the insurance of their respective dwelling houses, barns and other buildings, household furniture and other personal property, against loss or damage by fire, within the Commonwealth of Pennsylvania, for such term or terms, and for such premiums or considerations, and such modifications and restrictions as may be agreed on between the said corporation and the persons agreeing with them for said insurance." Amendment of section three.

SECTION 2. That section six of said act, to which this is a supplement, be amended to read as follows: "That the directors of said corporation shall divide their risks in two separate and distinct classes, to be called the "Farmers' class" and the "Merchants' class;" in the farmers' class they shall insure such buildings and personal property, as they deem expedient, against loss or damage by fire in the county, and in villages where buildings are not situated in blocks; and in the merchants' class, such buildings and personal property in cities, towns, boroughs, and in villages where buildings are situated in blocks, and such property in the county, as they may deem expedient, and shall keep the funds separate, to be applied for losses occurring in each respective class; but the incidental expenses of the company shall be paid out of the funds of both classes, in proportion to the amount insured in each class: *Provided*, That no member shall be liable to pay for any loss by fire, which may occur in the class of which he is not a member." Amendment of section six.

SECTION 3. That so much of the original act to which this is a supplement, is hereby altered or supplied, the same be and is hereby repealed. Proviso.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 577.

## A N A C T

To extend and vacate certain Streets and Alleys in Lancaster city.

Commissioners

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Carpenter, Benjamin F. Shenk, Lewis Hurford, Christian Zecher, Jeremiah Bauman and John D. Boring, are hereby appointed commissioners to lay out, open and extend West James street, in the city of Lancaster, from the point where it is now terminated by Charlotte street, to the eastern line of lands belonging to Franklin and Marshall college, situate in the said city.

Duties of commissioners.

SECTION 2. That the said commissioners or a majority of them, having first taken an oath before an alderman of the city of Lancaster, to perform the duties enjoined upon them by this act with fidelity and impartiality, shall proceed as soon after the passage of this act as convenient, to attend to the duties specified in the preceding section of this act, and if in the opinion of a majority of them said West James street ought to be laid out, opened and extended westwardly to the eastern line of the lands belonging to Franklin and Marshall college, they shall lay out the same of the width of James street as now opened, and shall make a draft or plot of said street so laid out, to be opened and extended by its courses and distances, and make return of the same under the hands and seals of a majority of them to the court of quarter sessions of the peace of Lancaster county, to be entered on record, and thereupon the said street so laid out shall become a public highway, and it shall be the duty of the street commissioner of the city of Lancaster to proceed forthwith to open the same.

Damages.

SECTION 3. That the court of quarter sessions of Lancaster county, on the petition of any owner of a lot or land through which the said street shall be extended and opened, representing that he or she has sustained damages thereby, shall appoint six freeholders of said city to view the premises and adjudge the amount of damages, if any sustained, taking into consideration the probable advantages of said street to the petitioner, and the said amount after being approved by the court, shall be paid as damages in like cases are now by law payable: *Provided always,* That the said viewers shall before proceeding to assess the said damages, if any, take an oath or affirmation before some competent judge or alderman justly and truly to value the same, and to consider the advantages as well as the disadvantages of the extension and opening of the said street to the petitioner.

Proviso.

Duties of select and common councils.

SECTION 4. That the select and common councils of the city of Lancaster are hereby authorized and required as soon after the passage of this act as the same reasonably and conveniently may be done, to cause the street commissioners of the said city to lay out, open and extend Mary street from the point where it now terminates at the northern end thereof, northward till it intersects Chesnut street.

SECTION 5. That the court of quarter sessions of Lancaster county on the petition of any owner of a lot of land through which the said street may be extended and opened, representing that he had sustained damage thereby, shall appoint six freeholders of the said city to view the premises and adjudge the amount of the damages, if any sustained, taking into consideration the probable advantages of said street to the complainants, and the said amount shall be paid after being approved by the court, out of the funds of said city: *Provided always*, That the said viewers shall each of them before they proceed to assess the damages, take an oath or affirmation before some judge or alderman, justly and truly to value the same, and to consider the advantages as well as disadvantages arising from the opening of said street to the complainants. Damages.

SECTION 6. That the select and common councils of the city of Lancaster, be and they are hereby authorized to vacate the public alley in said city, called "Union Court," extending from West King street northward, to an alley between West King and Orange streets: *Provided*, The said councils shall first open instead thereof, on ground lately purchased by the city of Lancaster, an alley at least equal in width to that hereby authorized to be vacated, and extending northward from West King street to the alley between West King and Orange streets aforesaid. Certain alley to be vacated.

SECTION 7. That the select and common councils of the city of Lancaster are hereby authorized and required, as soon after the passage of this act, as the same reasonably and conveniently may be done, to cause the street commissioners of the said city to lay out, open and extend Conestoga street, from the point where it now terminates at Prince street, till it intersects Water street; and that Fritz's alley, rendered unnecessary by the extension of said Conestoga street, be and the same is hereby declared vacated: *Provided*, That before any proceedings shall be had under this section, the owner or owners of the land through which said street shall pass, shall release all claims for damages on account of such extension. Additional duties of select and common councils.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 578.

## A SUPPLEMENT

To an act entitled "An act to incorporate the President and Managers of the Feasterville and Bridgetown and the Richboro' and Feasterville Turnpike Road Companies," approved the seventeenth and eighteenth days of April, one thousand eight hundred and fifty-four.

WHEREAS, The public road leading from Feasterville to Bridgetown, formerly known as the old Buck road, in Bucks county, was originally laid out two and a half rods in width, compensation having been paid to the landholders therefor:

*And whereas,* It is not now opened to that width in many places, the landholders refusing to have it done much to the inconvenience of the public; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Feasterville and Bridgetown turnpike road company, shall cause the landholders along the said road to remove at their, the said landholders expense, their fences to the distance of twenty feet from the middle of the bed of the turnpike road on both sides, within one year after the passage of this act.

SECTION 2. That in case any landholder neglects or refuses to comply with the first sections of this act, the said president and managers shall remove the fences at the expense of the person or persons so refusing or neglecting; and the said company is not to be held liable for any cost or damages for the possession or use of any of the lands lying within twenty feet of the centre of the road.

SECTION 3. That the provisions of this act shall extend to the Richboro' and Feasterville turnpike road company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 579

## A N A C T

To authorize the Commissioners of Chester county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Chester county be and they are hereby empowered to borrow, upon the credit of said county, for the purpose of erecting a new house of employment and relief for the poor, any sum of money not exceeding fifteen thousand dollars, payable within ten years: *Provided,* That no bond or other obligation shall be issued by the said commissioners, for the payment of the same, of a less denomination than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 580.

## A N A C T

Appropriating money to repair a Breach on the Delaware Division, of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of fifteen thousand dollars be and the same is hereby appropriated for extraordinary repairs on the Delaware division of the Pennsylvania canal, to be deducted from the amount which may be appropriated for damages by flood or fire in the general appropriation act for the present year.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 581.

## A FURTHER SUPPLEMENT

To the Donaldson Improvement and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it may be lawful for the Donaldson Improvement and Railroad company to pay to the shareholders of said company, a dividend not exceeding seven per centum per annum, payable semi-annually, in cash certificates of stock or in bonds of said company, and charge the same to their improvement account and credit same account with their earnings: Provided, That the president and directors shall have full power to make by-laws, and to appoint such officers and agents, as they shall deem expedient for the well conducting and transacting the business of the company.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four. .

WM. BIGLER.

No. 582.

## AN ACT

Relating to the Sunbury and Erie Railroad Company, and the Cleveland, Painesville and Ashtabula Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Cleveland, Painesville and Ashtabula railroad company, as incorporated under an act of the General Assembly of the State of Ohio, passed the eighteenth day of February, Anno Domini, one thousand eight hundred and forty-eight, entitled "An act to incorporate the Cleveland, Painesville and Ashtabula railroad company," and an act supplementary thereto, passed December tenth, Anno Domini, one thousand eight hundred and fifty, be and they are hereby authorized to construct and use a railroad*

Extencion of  
road.



with one or more tracks, commencing at and in the city of Erie, thence extending south-westwardly, by the most practicable route, on or along the Franklin canal railroad, to a point on the State line of Ohio, where it may connect with the Cleveland, Painesville and Ashtabula railroad, subject to the provisions of an act regulating railroad companies, passed the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine; and that they be and are hereby authorized to connect their road with any railroad or railroads legally authorized to come to, or to lay a road within the limits of the city of Erie: *Provided*, That all such connexions shall wholly cease, so soon as the Sunbury and Erie railroad company shall have a track or tracks open for use leading into said city, unless they shall also make a connexion therein with said Sunbury and Erie railroad, at the depots of said last named company.

Subject to provisions of certain act.

Proviso.

SECTION 2. That the said Cleveland, Painesville and Ashtabula railroad, be and they are hereby authorized and required to purchase the railroad now constructed from the city of Erie to the Ohio State line, and all the right or interest of the Franklin canal company, or any other parties in and to the same, with its appurtenances and the right of way, and all other rights and property connected therewith; and shall also purchase any shares of the said original Franklin canal company's stock at par, and pay the interest and principal on all bonds of said company, according to their tenor; and thereafter the said Cleveland, Painesville and Ashtabula railroad company may use and enjoy the said railroad, and its appurtenances, with a full release of any and all rights and claims of the Commonwealth thereto or therein; and the said Franklin canal company is authorized to make such sale and transfer to said Cleveland, Painesville and Ashtabula railroad company.

Authorized to purchase a certain railroad.

SECTION 3. That the said Cleveland, Painesville and Ashtabula railroad company, shall extend the track or tracks of their road equal in all respects, except grades to the main track, from a point west of Liberty street, being the western boundary of the city of Erie, north-eastwardly by the most practicable route to the harbor of Erie, at or near the depot grounds of the Sunbury and Erie railroad company, and have the same opened and ready for use within two years or sooner, if the said Sunbury and Erie, or any other railroad coming from an eastwardly direction, shall have one or more tracks completed to the said harbor: *Provided*, That the Sunbury and Erie railroad company shall grant such use of their depot grounds as may be agreed upon by the parties; and that the city of Erie shall grant free the right of way over and along such public streets or public grounds, as may be required for the track or tracks of said road to the harbor.

Duties of company.

SECTION 4. That all the privileges and immunities granted to the said Cleveland, Painesville and Ashtabula railroad company, in and by this act are granted upon the following terms and conditions namely:

Terms and conditions.

*First*, The said Cleveland, Painesville and Ashtabula railroad company, shall make such connection between their railroad and that of the Sunbury and Erie railroad company, at or near the city of Erie as may be best adapted to the safe, cheap and ready transferring of cars, passengers, baggage and freight from one road to the other, so soon as the western division of the said Sunbury and Erie railroad shall be finished; and that so soon as the said

Sunbury and Erie railroad company shall have laid down a track of road from Sunbury to Erie ; then and thereafter the said Cleveland, Painesville and Ashtabula railroad company shall run their freight and passenger trains to the depots of the Sunbury and Erie railroad company, and from then and thereafter shall not grant, furnish or allow to any company whose railroad shall terminate at or pass through or near the city of Erie, nor to any company or companies whose road or roads shall connect with or be contiguous to such road terminating at or passing through or near the city of Erie, any facilities, privileges or advantages which are not equally granted and furnished to the Sunbury and Erie railroad company, nor give or furnish, or permit to be given or furnished by any agent or by any person or persons, company or companies using their road directly or indirectly, any inducement of any kind whatever, to any party to travel or to send or forward property or mail matter in either direction, on or over any railroad so terminating at or passing through or near the city of Erie, or connecting or contiguous therewith in preference to traveling or sending, or forwarding such property or mail matter on or over the said Sunbury and Erie railroad, and all passengers, property and mail matter passing over the said Sunbury and Erie railroad, or destined to pass over the same shall be received and despatched by the said Cleveland, Painesville and Ashtabula railroad company, with all proper and reasonable speed and dispatch : *Provided*, That the Commonwealth hereby reserves the right at any time that may be deemed necessary to protect her interest, to impose such taxes on the Cleveland, Painesville and Ashtabula railroad company, as may be imposed by any general tax law, upon all the railroads of this Commonwealth.

*Second*, The said Cleveland, Painesville and Ashtabula railroad company shall before exercising any of the rights or franchises hereby granted, subscribe for five thousand shares of the capital stock of the Sunbury and Erie railroad company, to be paid for in the bonds of the said Cleveland, Painesville and Ashtabula railroad company, as hereinafter authorized to be issued, bearing seven per centum per annum interest, payable half yearly, the principal payable in twenty years, to be secured by a mortgage of all their property, rights and franchises, and which shall be a first lien or mortgage on that part of their property in Pennsylvania, and on the rights and franchises granted or to be granted by this act ; said mortgage to be executed to such trustee as shall be satisfactory to the said Sunbury and Erie railroad company ; the payments in bonds on account of such subscription to be made and stock issued therefor in the same proportions and at the same times that the city of Philadelphia, shall make their payments on their second subscription of ten thousand shares to the capital stock of the said Sunbury and Erie railroad company, which said five thousand shares of stock unless otherwise agreed to by both parties, shall be inalienable until the maturity of the bonds given in payment therefor, and so declared on the face of the certificate for the same : and in all the elections or stock votes of the Sunbury and Erie railroad company, one thousand six hundred and sixty-seven shares, and no more may be voted upon by the said Cleveland, Painesville and Ashtabula railroad company.

*Third*, That at least three of the directors of the said Cleveland, Painesville and Ashtabula railroad company, shall be citizens of the Commonwealth of Pennsylvania.



SECTION 5. That said Cleveland, Painesville and Ashtabula railroad company be and they are hereby authorized, to issue their bonds in sums of not less than one hundred dollars each, bearing interest at the rate of seven per centum per annum, payable half-yearly, to be secured by a mortgage or deed of trust of all their property, rights and franchises to the amount of five hundred thousand dollars, and the said Sunbury and Erie railroad company are hereby authorized to receive said bonds at par in payment, as before provided, for the subscription to their stock hereinbefore authorized and directed to be made. Bonds to be is sued.

SECTION 6. That if the said Cleveland, Painesville and Ashtabula railroad company, shall in any respect knowingly and intentionally refuse or neglect to perform and comply with all and singular the terms and conditions hereinbefore recited and imposed, the fact of such refusal or neglect having been adjudged by a court of competent jurisdiction, then and in such case all the rights, privileges, powers and immunities granted to said company by this act or intended so to be, shall forthwith cease and determine: *Provided*, That nothing herein contained shall be construed to release the Cleveland, Painesville and Ashtabula railroad company from liability to the Sunbury and Erie railroad company, by reason of such refusal or neglect, but the said Sunbury and Erie railroad company may from time to time recover from said Cleveland, Painesville and Ashtabula railroad company, such damages as they may sustain therefrom. Neglect or refusal to perform conditions to work a forfeiture of privileges.

SECTION 7. That immediately upon the passage of this act, the Susquehanna and Erie railroad company may assign and transfer to the Sunbury and Erie railroad company, all their estate and effects, rights, liberties and franchises, and from and after such transfer and assignment duly executed under their corporate seal, the said Sunbury and Erie railroad company shall become vested with all the estate and effects of the said Susquehanna and Erie railroad company, and shall and may exercise and enjoy all the rights, privileges and franchises of said company in their own name, and in addition to those now enjoyed or possessed by themselves, as fully as though the same had been directly granted to the said Sunbury and Erie railroad company: *Provided*, That if the said Sunbury and Erie railroad company shall under the rights and franchises transferred to them by the said Susquehanna and Erie railroad company, or under any other legislative authority, construct a railroad leading from the city of Erie to the Ohio State line, parallel with the said Cleveland, Painesville and Ashtabula railroad, or shall connect with any other such railroad, then and in such case the said Sunbury and Erie railroad company shall pay to the said Cleveland, Painesville and Ashtabula railroad company, so much as may have been paid on account of the said subscription of five thousand shares of stock, either in cash or in the bonds aforesaid, at the option of said Sunbury and Erie railroad company, and thereupon the said Cleveland, Painesville and Ashtabula railroad company shall deliver up the certificates of stock issued to them to be cancelled, and thenceforth the said Cleveland, Painesville and Ashtabula railroad company shall be and they are hereby authorized to exercise all the rights and privileges hereinbefore granted or intended, so to be freed and discharged from all and singular the terms and conditions hereinbefore imposed and provided. Assignment.



Notice to be given  
in writing.

SECTION 8. That before exercising any of the rights and immunities hereby granted to the Cleveland, Painesville and Ashtabula railroad company and to the Sunbury and Erie railroad company, respectively, either company shall give to the other notice in writing under their respective corporate seals, that they accept this act and agree to become bound by all the provisions and conditions therein contained, and immediately upon either of said companies giving such notice to the other, then such company shall forthwith be and become entitled to all the benefits, rights, privileges and immunities granted by this act, subject however to the performance of the terms, provisions and conditions therein contained.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. McCASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 583.

## AN ACT

Supplementary to an act Incorporating the Pittsburgh and Erie Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburgh and Erie railroad company be and they are hereby authorized to transfer to the Ohio and Pennsylvania railroad company, all the rights, privileges and franchises of the said Pittsburgh and Erie railroad company south and eastward from the town of New Castle, in Lawrence county, and to transfer to the said Ohio and Pennsylvania railroad company, the subscription made by Lawrence county to the capital stock of said Pittsburgh and Erie railroad company, together with the bonds issued by said county in payment of said subscription, and the said county shall be entitled to the same rights and privileges as other stockholders in said Ohio and Pennsylvania railroad company, in proportion to the amount of stock held: *Provided*, That the said Ohio and Pennsylvania railroad company shall construct a branch road from the main line of said Ohio and Pennsylvania railroad to the town of New Castle, and shall lay additional track or tracks from the south end of said branch to the city of Pittsburgh, so soon as the business on said branch road shall require: *Provided further*, That nothing in this act shall in any way interfere with or prevent the construction of

Transfer of rights  
and privileges.

Provide

Provide.

the line of the Cleveland and Pittsburgh railroad, as surveyed and located by said company, from Rochester, in Beaver county, to the city of Pittsburgh, December fourteenth, one thousand eight hundred and fifty-three: *Provided, further*, That said line shall not be nearer the centre of the first located track of the Ohio and Pennsylvania railroad than fifty feet, nor interfere with the necessary depot grounds now possessed, or which may hereafter be possessed by the said Ohio and Pennsylvania railroad company on any part of their line, except along the narrows of the Ohio river between Rochester and Pittsburgh.

SECTION 2. That the Pittsburgh and Erie railroad company is hereby authorized to borrow money and to issue their bonds for the same in sums of not less than one hundred dollars each, at such rates of interest, not exceeding seven per centum, and upon such terms as may be determined upon by the board of directors of said company, and to secure the payment of said bonds by executing and delivering to such trustee or trustees as they may select, a mortgage or mortgages of all or any part of their estate, real, personal, rights, liberties and franchises; and further, if they think proper, to make the said bonds convertible into stock at par. Authority to borrow money.

SECTION 3. That the Pittsburgh and Erie railroad company is hereby authorized to connect their road with any other railroad within any of the counties through which said road shall pass, now incorporated or hereafter to be incorporated, and make such running arrangement with the same as they shall deem expedient and advantageous to the interest of said company: *Provided*, That the said running arrangements referred to in this section shall not, except as hereinbefore provided, comprehend a sale and purchase of the franchises or a temporary transfer of the management, control or requirements given and imposed on any other railroad company claiming a charter under the laws of the Commonwealth. Connections authorized.

SECTION 4. That the charter of the Pittsburgh and Erie railroad company is hereby revived and renewed, and the time for completing the road is hereby extended to the twentieth day of April, one thousand eight hundred and fifty-nine: *Provided*, That the said company shall not construct any branch of their road eastwardly from the city of Erie: *And provided further*, That the Pittsburgh and Erie railroad company shall not be allowed to connect their road, or any branch thereof, in the county of Erie, with any road running west of the State line of Pennsylvania, except with the road of the Cleveland, Painesville and Ashtabula railroad company, conditioned that the last named company carry all freight and passengers of the Pittsburgh and Erie railroad over all or any portion of their road, at the same rates charged by the Pittsburgh and Erie railroad company, and the said Pittsburgh and Erie railroad company, in like manner, being required to carry freight and passengers passing from the Cleveland, Painesville and Ashtabula railroad over their road, at the same rates charged on the Cleveland, Painesville and Ashtabula railroad by said company. Charter of Pittsburgh and Erie railroad revived.

SECTION 5. That whenever it may become necessary or expedient for the said railroad company, in the construction or extension of its road, to pass over any land, the owner or owners of which are unknown, or are residing out of this Commonwealth, or where the rights, tenures or ownership of said land is not clearly defined, or cannot be ascertained, or where the Duties of company in regard to passing over land owned by persons residing out of this Commonwealth.]

same still belongs to the Commonwealth, or has been dedicated by law to any public use whatever, except to grave yards, cemeteries, or for the construction of public or private buildings, or where the same does not partake of the exact nature of a freehold or fee simple title, or where injury is likely to be done to an incorporeal hereditament, it shall be the duty of the officers of said company to cause accurate surveys of such proposed location or extension to be made, and file the same in the prothonotary's office of the proper county, and give public notice in at least one newspaper in the city of Philadelphia, and also in at least one newspaper in the county where the land lies, of the intention to enter upon and appropriate such land to the use of said company; and after such notice, it shall be lawful for said company to enter upon, or take possession of so much of said land as is required for the location of its road, without giving security for the payment of damages, unless a claim for such security shall be made within two years after such publication; and the proceedings for assessing and ascertaining the damages when demanded, and all other matters and things in regard thereto, and the location of the road, shall conform to the general provisions of the charter of said company, or of the act regulating railroad companies: *Provided*, That the number of jurors for assessing damages shall be five, instead of twenty, as named in the twelfth section of the act to which this is a supplement.

Proviso

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 584.

## A N A C T

To vacate parts of Rabbit and Meeting-House Lanes in Blockley township, Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the portion of Meeting-House lane extending from the West Chester road or Market street continued, southwardly to the south line of Old Marshall road as now vacated or not used, and the portion of Rabbit lane included between the said Meeting-House lane and the intersection of it, the said Rabbit lane with Marshall road as continued to be used in the township of Blockley, in the county of Philadelphia, be and the same are hereby vacated, and*



the title to the soil over which said portions of said lanes pass, be and the same is hereby vested in fee simple, in the owners of the ground fronting thereon respectively, each owner to have and take that part lying in front of his, her or its ground to the middle thereof: *Provided however*, That the same shall not be closed up until Chestnut and Walnut streets each eighty feet wide, Fulton street sixty feet wide, and Oak and York streets each forty feet wide, shall have been opened, graded and put in good condition for public use forever, through and over the tract of land belonging to the Delaware Land company, which is bounded on the east by the said Meeting-House lane, and is intersected by the said Rabbit lane; all of which streets shall be opened as they are laid down upon the plan of the said tract of land, recorded in the office for recording deeds, et cetera, of and for the city and county of Philadelphia, in conformity to the official plan of streets of the said township of Blockley: *Provided further*, Said vacation shall be first approved by the councils of the city of Philadelphia, as enlarged by an act of Assembly, approved February second, Anno Domini, one thousand eight hundred and fifty-four.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 585.

## AN ACT

Relative to Solicitors of Banks in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the fifteenth section of an act, entitled "An act to regulate certain election districts; defining the duties of the street commissioners of New Brighton, Beaver county, et cetera," approved the twenty-ninth day of March, Anno Domini, one thousand eight hundred and fifty-one, declaring that no person shall be eligible as solicitor of any bank in the county of Philadelphia, of which he may at the time be a director, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 586.

## AN ACT

To incorporate the Lick Run and Sinnemahoning Turnpike Road Company.

Commissioners.

Style.

Subject to provisions of certain act.

Capital stock

Use of public roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ellis Irwin, Christian Pottarff, Thompson Read, Isaac Scofield, James Locke, John Owens, Richard Mossop, Gould Wilson, Philip Heavener and John Hewitt, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Lick Run and Sinnemahoning turnpike road company, with power to construct a turnpike road from the Susquehanna river at or near the mouth of Lick Run in Clearfield county, to the Bennett's Branch of the Sinnemahoning creek, at or near Gould Wilsons, subject to all the provisions and restrictions of an act regulating plank and turnpike road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the several supplements thereto so far as they are consistent with this act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars each, with power to increase their capital stock to sixteen hundred shares of like amount.

SECTION 3. That said company shall have a right to construct their road upon any of the public roads between the points specified, and if they shall not commence the construction of their road within three years after the passage of this act and finish the same within five years, then this act to be null and void except so far as it shall be necessary to wind up the affairs of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 587.

## A N A C T

To divide the borough of Lebanon into two Wards, for election purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for all election purposes hereafter, the borough of Lebanon, in Lebanon county, shall be divided into two wards, to be known respectively as the East ward and the West ward; the line of division whereof, is to be the alley commonly known as Doe alley, running from north to south, between Market and Walnut street, in the said borough; and the qualified voters residing in the east ward, shall hold all their elections at the place now used to hold elections of the said borough; and the qualified voters residing in the west ward, shall hold all their elections in the jury room, on the west side of the court house, in the said borough; and that the present election officers of the said borough, shall appoint officers to conduct the elections, until others are elected according to law, in the additional district hereby created, in the following manner, viz: The judge shall appoint an additional judge, and each inspector an additional inspector, who shall be voters of the district for which they are appointed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 588.

## A S U P P L E M E N T

To an act to alter and amend the Fee Bill passed February twenty-second, one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tenth and eleventh sections of the act entitled "An act to alter and repeal the fee bill," passed the twenty-second day of Feb-



ruary, one thousand eight hundred and twenty-one, are hereby repealed so far as they effect the justices of the peace and constables of Mifflin, Allegheny, Erie, Washington, Lancaster, Dauphin, Chester, Lebanon and Bradford counties, and the fourteenth and fifteenth sections of the act of the twenty-eight day of March, one thousand eight hundred and fourteen, entitled "An act establishing a fee bill," are hereby revived so far as they relate to the said counties.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 589.

## AN ACT

To incorporate the Williamsburg and Yellow Springs Turnpike Road Company, in the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James M. Kinkhead, Doctor Jesse Wolf, Samuel H. Keller, Philip Roller, W. Graham, J. B. Gifford, John Clark, Alexander Carothers, A. J. Green, William H. Ake, and such other persons as may be associated with them, or a majority of them, be and they are hereby appointed commissioners to open books, and receive subscriptions and organize a company by the name and style of the Williamsburg and Yellow Springs turnpike company, with power to construct a turnpike road from the town of Williamsburg, in Woodberry township, to the Yellow Springs, in Catharine township, Blair county, by such rout as the officers of said company may determine, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of the said company shall consist of four hundred shares of twenty-five dollars each: *Provided*, That the said company may from time to time at a meeting of the stockholders called for that purpose increase the capital stock to such an amount, as in their opinion may be required to complete said road according to the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of said road in three years and complete the same within eight years from the passage of this act, the same shall

Commissioners.

Style.

Subject to provisions of certain act.

Capital stock.

Provide.

Commencement and completion of road

become null and void, except so far as may be necessary to wind up the affairs of the said company and pay the debts of the same.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 590.

A N A C T

To release the estate of the late Prothonotary of Fulton county, from the payment of certain taxes and fees on commissions and bonds.

WHEREAS, Solomon Mason, esquire, late prothonotary, register and recorder, and clerk of the several courts of Fulton county, died immediately after receiving his commissions, without having acted or received any of the emoluments of office, whereby the payment of the taxes and fees upon his commissions and bonds is rendered a great hardship; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the estate of the said Solomon Mason, esquire, deceased, be and the same is hereby released from the payment of said taxes and fees upon his said commissions and bonds.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 591.

## AN ACT

To authorize the School Directors of New Cumberland, Cumberland county, to borrow money for School purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of New Cumberland, county of Cumberland, are hereby authorized to borrow any sum of money not exceeding six hundred dollars, on the credit of the district, for the purchase of a lot and the erection of a building thereon, for common school purposes for said district.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 592.

## AN ACT

Supplementary to an act to reduce the expenses of collecting State and County taxes in the county of Venango, and for other purposes, approved the third day of April, A. D., one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in case any default of payment of State or county taxes, as provided in section third of said act, to which this is a supplement, after the period of thirty days from the first day of August of each year, when the treasurer shall have issued his warrant to a constable or collector appointed, a penalty of five per cent., in addition to taxes assessed, shall and may be made by said constable or collector; which said per centage, the said constable or collector may collect of the defaulting tax payer, and retain as an additional compensation over and above any amount now allowed by provisions of original act: Provided, That the provisions of this act shall not apply to Venango county.*

Collection of  
taxes.



SECTION 2. That in all cases where constables of any township shall have failed to qualify and give security, as provided by law, at or before the first day of September of each year, the county commissioners shall be authorized to appoint a collector in his stead, who shall, on giving security, and becoming qualified as required of the constables, proceed with like power and authority, as set forth by section fourth of original act, to perform duties of said constables. Commissioners to appoint a collector in certain cases.

SECTION 3. That the provisions of this supplemental act are hereby extended to the counties of Crawford, Mercer, Lawrence, Beaver, Erie, and all other counties made subject to the provisions of original act. Provisions of act extended to certain counties.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 593.

### AN ACT

For the encouragement of the National Military College, located near Bristol, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the professors, instructors or assistants and students of the National Military College, located near Bristol, Bucks county, shall be, while connected with the institution, exempted from all military taxes and duties as other volunteer companies are by law exempted. Exemption from military taxes.

SECTION 2. That the Adjutant General be and he is hereby authorized and directed on the requisition of the superintendent of the said National Military College, to furnish to the said superintendent for the use and benefit of said National Military College, such number of muskets or other fire-arms, with accoutrements to the same, as shall be equal to the number of pupils therein certified by said superintendent to the Adjutant General; the kind of arms to be designated by said superintendent, and also two brass field pieces of six pound calibre, the same to be fully equipped for service; the return of said arms, field pieces, &c., in good order to the Adjutant General of the Commonwealth for the time being, when no longer required for the use of said National Military College, to be secured in the Arms to be furnished.

manner as is now provided for by law in case of volunteer companies.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 594.

## AN ACT

To incorporate the West Chester and Paoli Plank Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners Townsend Eaches, Alexander Marshall, Nicholas Mendenhall, John T. Worthington, Enos Smedley, William D. Hanes, Carver Worthington, Benjamin Hoopes, William Sharpless, George B. Matlock, James Thomas, Jacob John, George Garret. Smith Sharpless, Pratt Roberts, Joseph L. Garrett, Nathan L. Garrett, John Singles, Isaac Hoopes, Levi Cox, Samuel Evans, Samuel Smith, John D. Evans and Hugh Steen, of Chester county, and James J. Lewis, Joseph Lewis, Enos Williamson, Jeremiah Pratt, Henry Pratt, Isaac Haldeman, junior, and Isaac Thomas, of Delaware county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the West Chester and Paoli plank road company, with power to construct a plank road from West Chester to a point in the Newtown square and Paoli plank road near the Paoli tavern in Chester county, upon the bed of the old road or by the nearest and best route as the stockholders may determine upon, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto, excepting that portion of the thirteenth section of said act relating to tolls, and the company hereby incorporated shall have power to regulate the tolls within the limits of said thirteenth section, and lessen the same if the interest of the company may make it expedient so to do: *Provided*, That sheep, hogs and cattle shall pass over the road free from toll, and that oxen and mules when in draught shall be charged the same rates as horses: *And provided further*, That the said company shall elect eight instead of five managers as directed by the third section of this act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars per share: *Provided*, That the said company may from time to time by

a vote of the stockholders, at a meeting called for that purpose increase their capital stock so much as in their opinion may be necessary to complete their road, and carry out the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have finished two miles or more of said road, they shall have power to erect gates and receive tolls agreeable to the provisions and restrictions of sections twelfth and thirteenth of the aforesaid act. Tolls.

SECTION 4. That if the said company shall not commence the construction of their road within three years from the passage of this act, and complete the same in five years thereafter, then this act shall be null and void, except so far as the same may be necessary to wind up its affairs and pay the debts of said company. Commencement and completion of road.

SECTION 5. That the president and managers of the said company, be and they are hereby authorized to borrow any sum of money not exceeding ten thousand dollars, bearing an interest of six per centum per annum, for the purpose of completing said road: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars: *And provided*, That said plank road shall be constructed upon the bed of the State road from the borough of West Chester, to a point opposite or near a lime kiln, about one mile from the Paoli tavern, unless the consent of the owners of the land through which the road may pass shall first be obtained. Authority to borrow money.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 595.

## A N A C T

Relative to the recording of deeds of Trust.

WHEREAS, It often happens that conveyances of lands in trust, made to trustees for the benefit of others, remain unrecorded, to the great injury, as may be, of the *cestui que trust*: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases where lands and tenements have been or shall hereafter be conveyed to any person or persons in trust, for the use and benefit of others, by a deed of trust, the trustee or trustees, on request of any person interested, and at the cost of the party



requesting it, shall cause the said deed to be recorded in the proper county, where the lands and tenements are situate; and in case such deed be in the possession of any person other than a trustee, on request as aforesaid, and at the proper cost of the person requesting the same, it shall be the duty of such person, trustee or otherwise, to cause said deed to be recorded in the proper county, where the lands and tenements may be situate, and in case of neglect or refusal, to cause such deed to be recorded, on request as aforesaid, it shall be lawful for the court of common pleas of the proper county, on the petition of any person interested, setting forth the facts of the case, to issue a citation to the person or persons having such deed as aforesaid, to appear within such time as the Court shall direct, and show cause why he or they refuse to cause said deeds to be recorded; and on failure to appear or to show satisfactory cause, said Court shall order such persons, trustee or otherwise, to cause said deed to be recorded, as aforesaid, with cost against such delinquent, which said order or decree may be enforced by attachment.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 596.

## AN ACT

To extend the limits of the Borough of Jersey Shore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the borough of Jersey Shore, in Lycoming county, shall be bounded and limited as follows: Commencing at the south-west corner of the present borough of Jersey Shore, thence, by water mark by the river Susquehanna, south thirty degrees, east thirteen perches, to a post; thence over lands of the estate of William Bubb, deceased, and Jonathan White, south twelve degrees, west seventy-eight and one-tenth perches, to a post; thence, by lands of Mary Ferguson, north eighty-five degrees, west one hundred and forty perches, to a white oak; thence, over lands of Thomas Calvin and others, north twelve degrees, east two hundred and eighty-eight perches, to the north line of Jacob Bubb; thence, by the same, south sixty-four and a half degrees, east sixty-one perches, to the east side of Pennsylvania canal; thence north eleven and a half degrees,

east forty-three perches, to the north line of Thomas Waddle; thence, by the canal, north twenty-nine east twenty-six perches, to a post; thence north fifty three degrees, east twenty-six perches, on the line between Mifflin and Porter townships; thence, along said line, south thirty-seven degrees, east fifty perches, to low water mark, on the river; thence, by the same, the several courses and distances, to the south-east corner of the present borough of Jersey Shore; thence, by low water mark, the several courses and distances, up the river to the place of beginning.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 597.

## AN ACT

Relative to suits by Sheriffs, Prothonotaries and other officers of Westmoreland, Lycoming and Washington counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the statute of limitations be and the same is hereby extended three years beyond the present time limited by law, in respect to any actions to be brought by any sheriff, prothonotary, recorder of deeds, register of wills or clerk of the orphans' court, who has heretofore held office in the counties of Westmoreland, Lycoming and Washington, for the recovery of any and all fees due to him or them.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 598.

## AN ACT

To incorporate the Aldenville and Prompton Plank Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Levi H. Alden, Julius T. Alden, Ralph Case, Edmund K. Norton, George W. Hall, Henry Edgett, Phineas Arnold, C. F. Young and Abraham Swartz, of Wayne county, or any five of them be and they are hereby appointed commissioners to open books,
Style.	receive subscriptions and organize a company by the name, style and title of the "Aldenville and Prompton plank road company," with power to construct a plank road from the village of Aldenville, in Clinton township, to the borough of Prompton, in Wayne county, by the nearest and best route thereto, subject
Subject to the provisions of certain act.	to all of the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the provisions and restrictions of the supplement of said act: <i>Provided,</i> That when the said company hereby
Proviso.	incorporated, shall have finished two miles or more of road, the president thereof may give notice to the Governor, who shall thereupon do and perform the duties prescribed in the twelfth section of the said act of twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine.
Capital stock Proviso.	SECTION 2. The stock of said company shall consist of four hundred shares, of twenty-five dollars each: <i>Provided,</i> That said company may at any time, by a vote of stockholders, at a meeting called for that purpose, increase their capital so much as in their judgment may be necessary to carry out the true intent and meaning of this act.
Penalty for injury to gates.	SECTION 3. Any person who shall wilfully injure, break or throw down any gate which shall have been erected on said road, pursuant to the provisions of this act, or dig up or wilfully injure or spoil any part of such road, or anything thereto belonging, or shall drag along or across such road, any log, timber, wood or stone, so that the same shall come in contact with the even surface of said road, he shall for every such offence forfeit to the corporation hereby created, the sum of ten dollars, in addition to the real damage from such wrongful act; which penalty may be recovered by said corporation, in such manner as debts of like amount are now by law recoverable, and a separate suit may be in like manner prosecuted and maintained by said corporation for such damage done to said road.
Service of process.	SECTION 4. In all suits or actions brought against said company, the service of process on any director, toll gatherer or other officer of said company, shall be good and available in law as if made on the president thereof.
Commencement and completion of road.	SECTION 5. That if the company hereby incorporated, shall not commence the construction of said road within three years and complete the same within six from the passage of this act, this act shall be null and void, except so far as the same shall be



necessary to wind up the affairs and pay the debts of said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 599.

A SUPPLEMENT

To an act entitled "An Act to incorporate the Central American Mining company," approved April twenty-first, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Central American Mining company to exercise the privileges and powers conferred upon it, by the act to which this is a supplement, in the Island of Cuba, as well as in Central America.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 600.

AN ACT

To lay out a State Road in Dauphin and Lebanon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M'Allister, junior, of Dauphin county, and Doctor Shindle, *Commissioners.*

Route. of Lebanon county, and J. L. Nutting, of Schuylkill county, be and they are hereby appointed commissioners to view and lay out a State road, begining at a point between Neidlinger's saw mill and John M'Allister's hotel, in Rush township, Dauphin county, thence by the best route to Roush's gap, to the Dauphin and Susquehanna railroad in Lebanon county.

Duties of commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground over which the said road may pass, and lay out and mark the same upon the ground, or the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners are hereby authorized to employ one surveyor, at a per diem allowance of two dollars, two chain carriers and one axe-man, at a per diem allowance not exceeding one dollar and fifty cents each; and the said commissioners respectively, shall receive a per diem allowance, not exceeding two dollars, for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurer of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

Compensation.

Drafts to be made out and filed.

SECTION 3. That it shall be the duty of said commissioners to make out three fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy whereof to be deposited in the office of the Secretary of the Commonwealth, and one copy in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, on or before the first day of November next; and from thenceforth the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the courts are made and repaired.

Duties of supervisors.

SECTION 4. That it shall be the duty of the supervisors of the several townships through which said road shall pass, upon notice given, to proceed to open and make said road under the same provisions, as if said road had been laid out by the respective courts of quarter sessions.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 601.

## AN ACT

Relative to the manner of voting in Lancaster, Clinton and Somerset counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the qualified voters of Lancaster, Clinton and Somerset counties to vote for Governor, canal commissioners, surveyor general, auditor general, member of Congress, senators and members of the General Assembly and judges of the Supreme Court on one ticket, which shall be labelled on the outside "State officers," and for all other candidates which may be voted for at any general election, including judges of the court of common pleas of said county, on a separate ticket, to be labelled on the outside "county officers."

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 602.

## AN ACT

Relating to the Lock Haven and Tyrone Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lock Haven and Tyrone railroad company be and the same are hereby authorized to extend their road from Tyrone, the western terminus of the same, to intersect the Allegheny Portage railroad at any point at or near the town of Hollidaysburg, and to connect the same with said road, and that John Cresswell, junior, B. C. Bowman and Thaddeus Banks, are hereby added to the corporators in said company.

SECTION 2. That the said company be and are hereby authorized to borrow money, and to issue their bonds therefor, in sums



of not less than five hundred dollars each, at such rates of interest and on such terms as may be determined by the board of directors, and to secure the payment of the same; and to execute and deliver to such trustee or trustees, as they may select, a mortgage or mortgages of all or any part of their estate, real or personal, rights, liberties and franchises; and further, if they think proper, the said bonds may be made convertible into the stock of the company at par, which stock they are authorized to issue, when required, in addition to their present stock; and said company are authorized to sell and dispose of said bonds within or beyond this Commonwealth, at such rates, above or below par, as may be agreed upon between the parties.

To purchase  
Bald Eagle  
plank road.

SECTION 3. That the said Lock Haven and Tyrone railroad company is authorized to purchase the whole or any part of the Bald Eagle plank road, with all the rights, powers, privileges and franchises thereto belonging, and to locate their railroad upon and over the ground occupied by the same; and the said Bald Eagle plank road company is authorized to sell and convey the same to said Lock Haven and Tyrone railroad company, upon such terms as may be agreed upon by the said companies.

Extension.

SECTION. 4. That said company may, if they shall deem it expedient, extend their said road from Hollidaysburg to the southern line of the State of Pennsylvania, to connect with any railroad constructed or to be constructed in the State of Maryland.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 603.

## A FURTHER SUPPLEMENT

To the act entitled "An act to incorporate the Broad Mountain Improvement Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Broad Mountain Improvement company be and it is hereby*

authorized and empowered to construct a railroad or railroads, not exceeding six miles in length, so as to connect any lands which are now held or owned by the same, with any principal railroad or canal within that distance; and the provisions, rights, privileges and restrictions set forth in the Act of Assembly, entitled "An act regulating railroad companies," approved the nineteenth of February, one thousand eight hundred and forty-nine, which is hereby confirmed in said company, for the purposes aforesaid; and that it may be lawful for the president and directors of said company to pay to their shareholders dividends not exceeding seven per centum annually, payable semi-annually or oftener, and charge the same to the cost of the improvement account, and credit their earnings to same account.

SECTION 2. And that the corporate name of said company shall hereafter be the Broad Mountain Improvement and Railroad company.

SECTION 3. That said company is hereby authorized to borrow, for the purpose of making railroads, sinking shafts, slopes, and erecting necessary machinery, dwelling-houses, and for other purposes, any sum or sums of money not exceeding two hundred thousand dollars, at a rate of interest as may be agreed upon, not exceeding seven per centum per annum, payable semi-annually or oftener; and said company may issue coupon bonds for said loan, in sums not less than one hundred dollars, payable at any time within twenty years from the date thereof, and secure the payment of the same by the mortgage of the personal property, real estate, and corporate franchises; and the said loan may be convertible into the stock of the said company, at the option of the holder or holders thereof, at any time before or after maturity: *Provided*, The capital of said company may be increased to an amount so converted into stock.

SECTION 4. That any increase of the capital stock by the conversion of the bonds of said company, a bonus of one-half of one per centum on such increase shall be paid in ten equal annual instalments, the first to be paid in one year after such increase.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER,

No. 604.

## A N A C T

Declaring a part of the Bethany and Dingmans' Choice Turnpike Road, in Pike County, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the Bethany and Dingmans' Choice turnpike road that lies east of the Milford and Owego turnpike road, in the county of Pike, commencing near the house of the late Charles Ridgeway, deceased, in said county, and from thence to the Delaware river, at or near the Delaware bridge, be and the same is hereby declared a public highway, and the same shall hereafter, in all respects, be subject to and under the control of the supervisors of the respective townships through which the same may pass.*

SECTION 2. That the said Bethany and Dingmans' Choice turnpike road company be, and the same are hereby released and discharged from all liability and obligations, in keeping that part of said turnpike road in repair, which lies east of the Milford and Owego turnpike road, in the county of Pike, above named.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixth day of May one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 605.

## A N A C T.

Relative to the erection of a School House in New Salem, Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of New Salem, in Westmoreland county, are hereby authorized to erect a school house in said borough, and to levy any tax which they may deem necessary for that purpose: Provided, That before doing so the citizens of said borough shall first approve thereof, by a majority of*



their votes at the borough election on the first Tuesday in May, one thousand eight hundred and fifty-four, by written or printed tickets.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 606.

A N A C T

Concerning Plank Roads leading from Erie to Meadville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That it shall be lawful for the plank road companies leading from Erie to Meadville, to transport passengers and freight over their respective roads, and for that purpose to borrow money not exceeding at any time ten per centum of the amount of their capital stock actually paid in.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 607.

A N A C T

To annul the marriage contract between Henry Webster and Almira his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Henry Webster and

Almira his wife, both of the county of Susquehanna, be and the same is hereby annulled and made void, and the parties released and discharged from the duties and obligations arising therefrom as fully, effectually and absolutely as if they never had been joined in marriage.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 608.

## SUPPLEMENT

To an act authorizing Courts of Common Pleas to incorporate Scientific, Agricultural and other Associations, approved February twentieth, one thousand eight hundred and fifty-four, so far as relates to the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the courts of common pleas of the county of Bradford, shall have the power, and it shall be their duty to take the same proceedings in relation to any unincorporated literary, charitable or religious association, at the instance and on the petition verified by the oath of the petitioner of a creditor of said association, so that they may become a body politic or corporate, as they may now do on the application of any of the members of such association; and such body politic or corporate shall have the same rights, and be subject to the same liabilities, in every respect, as it would have if the charter of incorporation had been obtained by the application of any of the members of such association in pursuance of existing laws on that subject.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 609.

## AN ACT

Authorizing the laying out of a State Road from Murrys ville, in Westmoreland county, to Stewart's station on the Pennsylvania Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Z. G. Stewart, George Hobaugh, Josiah Harvey, George Keck, Jeremiah Murry, of Westmoreland county, George Larrimer and John J. Muse of Allegheny county, be and they are hereby appointed commissioners to do certain matters and things, as is specified and described in the following sections of this act.

SECTION 2. That it shall be the duty of the said board of commissioners or a majority of them, after being sworn or affirmed by a justice of the peace to perform the duties enjoined on them by this act with fidelity and impartiality, to meet at some point fixed by themselves, on or before the first Tuesday in September, one thousand eight hundred and fifty-four, and proceed to view and explore the different routes that may be considered practicable for a State road from Murrys ville to Stewart's station, on the Pennsylvania railroad, and to determine on the most practicable route, having regard to the shortest distance, the least injury to private property, and the public good. Duty of commissioners.

SECTION 3. That it shall be the duty of said commissioners Further duties. to appoint one of themselves, who is an artist, or some other fit surveyor, who shall take to his assistance two chain-bearers and one axe-man, and proceed immediately after the adoption of the route to survey and grade the same as near a straight line as possible, thirty-three feet in width, and not to exceed at any point four degrees from a horizontal line, except crossing ravines and streams, when by moderate excavation, filling or bridging, the declination may be preserved within that limit.

SECTION 4. That it shall be the duty of the artist plainly Drafts to be made and distinctly to mark the location of said road, and make out out and filed. two fair and accurate drafts of the same, noticing therein the courses and distances as they occur, the improvements passed through, and also the crossing of township lines, roads and waters, and such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth, on or before the first Tuesday of January, Anno Domini, one thousand eight hundred and fifty-five, and one copy in the office of the clerk of the court of the county of Westmoreland, on or before the day aforesaid, which shall be record thereof, and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by order of the courts: *Provided how-* Proviso. *ever,* That it may be opened under the direction of the artist, in case there is no additional expense on the counties or townships.

SECTION 5. That said commissianers shall have power to vacate so much of any road as may be supplied by the new one, Vacation of roads.



if it should appear expedient so to do, and in case access to any branch or lateral road may be obstructed by vacating any part of roads so supplied, it shall be the duty of the artist to connect all such lateral or cross roads with the main line of road, and show the connection in the drafts aforesaid.

Releases.

SECTION 6. That it shall be the duty of the commissioners to endeavor to procure from the persons through whose land such location may be made, releases for all claims of damages that might arise from opening the same; and in every case where said commissioners shall fail to procure such releases, and it shall appear to them that any damages will be sustained, they shall assess the damages and make report thereof, signed by a majority of them, and return the same, together with all the releases obtained, to the court of quarter sessions of the county in which such damages may accrue.

Vacancies.

SECTION 7. That if any vacancy should occur, by resignation or otherwise, in the board of commissioners, the remaining members of the board shall call to their assistance a suitable person, who, when sworn or affirmed, shall have the same power as though he had been named in this act.

Compensation.

SECTION 8. That the commissioners and artist shall receive for their services, one dollar and fifty cents for each day engaged in the discharge of the several duties enjoined on them by this act; and the chain-bearers and axe-man shall each receive one dollar per day for each day on service in locating said road; the accounts of the commissioners, surveyor, chain-bearers and axe-man shall be made out and returned to the commissioners of each county, in proportion to the time spent in viewing and locating said road; and the said accounts shall be paid out of the treasury of the respective counties, on warrants drawn in the usual way.

Duty of supervisors.

SECTION 9. That the supervisors of roads in the several townships through which this road may pass, are authorized and required to apply at least one-half of the tax assessed for road purposes on property lying and being within one mile of said road, each year, until it is made good.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 610.

## AN ACT

For the regulation and continuance of a System of Education by Common Schools.

## I. DISTRICTS.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a system of Common School Education be and the same is hereby deemed, held and taken to be adopted, according to the provisions of this act, in all the counties of this Commonwealth: and every township, borough and city of this Commonwealth, or which shall hereafter be erected, shall constitute and be a school district, subject to the provisions of this act; but any borough which is or may be, connected with a township in the assessment of county rates and levies, shall with the said township form one district, and the sum of two hundred and thirty thousand dollars is hereby appropriated, as a common school fund, for the ensuing school year, to be appropriated as hereinafter prescribed.

System adopted in every city, borough and township of the State and provision made for its continuance.

Annual appropriation.

SECTION 2. That school districts which are composed of cities or boroughs divided into wards for school purposes at the time of the passage of this act, shall be constituted as follows to wit: Each ward shall retain its school property, both real and personal, and elect a separate board of directors, who shall exercise in their respective limits all the powers and duties of school directors, as regards the erection or repairing of school houses, and the purchasing, renting or selling of school houses and lots, and shall also levy, assess, collect and disburse in and upon their respective wards, all taxes rendered necessary to the proper exercise of the foregoing powers; but all other powers and duties pertaining to school directors, which are conferred or enjoined by this act, shall be exercised in such city or borough by a board of controllers composed of the directors of the several wards, who are hereby authorized and required to perform all the duties belonging to boards of directors in single districts, with the exception contained in this section; *Provided,* That whenever all the boards of directors in any such city or borough shall voluntarily execute deeds of conveyance to the board of controllers for all the school property belonging to their respective wards, and shall certify the same to the Superintendent of Common Schools, then, and in that case, such city or borough shall thereafter compose a single school district, in the same manner as districts not divided into wards—but the number of directors thereafter elected in such city or borough shall be three for each ward.

Cities and boroughs divided into wards consolidated.

Conveyance of real estate to controllers.

SECTION 3. That when a new district shall hereafter be formed, such district shall not be considered and recognized as a separate and independent school district, until after the termi-

New districts.

nation of the current school year in which it became a new district, and until it have a full board of directors, regularly elected or appointed, and organized, except that the directors thereof shall have authority to levy, assess and collect tax, procure school houses, and do all other acts necessary to the commencement of the schools for the ensuing year.

School funds to  
new districts.

SECTION 4. That if any balance of school funds shall remain on hand or be due to the district out of which any new district shall be formed, such balance shall, after all just claims against the old district have been settled, be distributed between the old and new districts, in proportion to the assessable value of property within their respective limits, and such new district may recover the amount thus due by suit against the old district or districts from which it was erected.

## II.—SCHOOL DIRECTORS AND CONTROLLERS.

Election of direc-  
tors.

SECTION 5. That school directors shall be elected annually in each district of the State, in the following manner to wit: At the same time and place that elections are held for supervisors and constables, and in wards in cities or boroughs, at the time and place of the borough or ward elections, and in like manner two qualified citizens shall be elected school directors in each district, whose term of office shall be three years; but in districts where directors have not been elected or in new districts which may be established by the erection of a new ward, borough or township, six directors shall be elected in such districts; at the first election, two to serve one year, two to serve two years, and two to serve three years, and two annually thereafter; and in city and borough districts allowed to elect three directors, the whole number for each ward shall be chosen at the first annual election after the passage of this act, one to serve for one year, one to serve for two years, one to serve for three years and one annually thereafter.

Term of office.

Returns of elec-  
tions for districts.

SECTION 6. That duplicate returns of all elections for directors shall be made out, signed and sealed by the judges and delivered by the constable or proper officer of said election, one to the board of directors and the other to the court of quarter sessions of the county, within ten days thereafter, and each person elected a director shall be notified thereof in writing within five days after the election, by the constable or other officer who held the election: if the legality of any election for directors be contested in writing by not less than ten qualified citizens of the district, the said court of quarter sessions is hereby authorized and required, forthwith to examine into the election, and to confirm or set it aside, as shall seem just and proper, and if set aside, to order a new election at the usual place and in the usual manner, on not less than two weeks public notice given by the proper officer.

Vacancies.

SECTION 7. That each board of directors shall have power to fill any vacancy which may occur therein by death, resignation, removal from the district or otherwise, until the next annual election for directors, when such vacancy shall be filled by electing a person from the district in which the vacancy occurs to supply the same.

Refusal to attend  
meetings.

SECTION 8. That if any person duly elected a school director shall refuse to attend a regular meeting of the board, after having received written notice from the secretary to appear and enter upon duties of his office, or if any person having taken



upon him the duties of his office as director, shall neglect to attend any two regular meetings of the board in succession, unless detained by sickness or prevented by absence from the district, or to act in his official capacity when in attendance, the directors present shall have power to declare his seat in the board vacant, and to appoint another in his stead to serve until the next regular election.

SECTION 9. That if all the members of any board of directors or controllers shall refuse or neglect to perform their duties by levying the tax required by law, and to put or keep the schools in operation so far as the means of the district will admit, or shall neglect or refuse to perform any other duty enjoined by law, the court of quarter sessions of the proper county may, upon complaint in writing by any six taxable citizens of the district, and on due proof thereof, declare their seats vacant and appoint others in their stead, until the next annual election for directors.

Neglect of duties by directors; may be removed by the court.

SECTION 10. That all directors shall be exempted from serving in any township, city or borough office, and from the performance of militia duty.

Directors exempted from militia duty or serving in township or borough offices.

SECTION 11. That school directors elected under the provisions of former acts, except in independent districts abolished by this act, and in consolidated city or borough districts entitled to elect three members at the first election, as provided in the fifth section, shall severally hold their offices during the term for which they were elected, and all appropriations authorized by former acts, whether by the State or county, and all taxes authorized to be raised for school purposes, shall be collected as they would have been collected if this act had not been passed.

Directors elected under former acts, to continue, and taxes, &c., to be collected

### III.—OFFICERS AND MEETINGS OF THE BOARD.

SECTION 12. That annually and within twenty days after the election of directors each board of school directors and each board of controllers, in cities and boroughs, shall meet and organize by choosing a president and secretary, who shall be members of the board, and a treasurer, who may be a member of the board or otherwise, at the discretion of the directors or controllers.

Organization of boards.

SECTION 13. That the president shall preside at the meetings of the board, call special meetings when necessary, issue the duplicate and warrant for the collection of the district taxes, take sufficient bond from the district treasurer for the faithful discharge of his duty, and sign the certificate of the assessment of the district taxes, and all orders issued on the district treasurer by order of the board, also the annual report of the district to the county superintendent, and generally do and perform all other acts and duties lawfully pertaining to the office of president of the board.

Duties of president.

SECTION 14. That the secretary shall keep full minutes of all the proceedings of the board, in a book provided for that purpose, prepare the duplicate of school tax, keep an account of all abatements and exonerations made by the board, prepare, attest and forward to the county superintendent the annual certificate that the schools have been kept open during the minimum period specified by law, also the annual report of the district, prepare and attest all orders on the treasurer, and do and perform all other acts and duties lawfully pertaining to the office of

Duties of secretary.

secretary of the board, and for his services shall receive such compensation as the board may direct.

President and  
secretary pro  
tempore.

SECTION 15. That if the president or secretary shall absent himself from any meeting of the board, or being present, shall refuse to perform any of the duties of his office, a president or secretary pro tempore shall be appointed by the members present, an entry thereof being made on the minutes, and the acts necessarily performed by such president or secretary pro tempore, during such meeting, shall be as valid and binding on the board and district as if they had been performed by the regular officer of the board.

Bond of treasur-  
er.

SECTION 16. That the treasurer shall give bond to the president for the use of the district, in such amount and with such sureties as shall be approved by the board, for the faithful performance of his duty; he shall receive all State appropriations, district tax, and other funds of the district, and pay thereout all orders of the board signed by the president and attested by the secretary; he shall settle his accounts annually with the directors or controllers, in default of which he shall not be re-appointed; he shall pay over the balance without delay to his successor in office, and generally do and perform all acts and duties lawfully pertaining to his office as district treasurer, and shall be allowed to retain not exceeding two per cent. on the money passing through his hands for his services.

Duties of Treas-  
urer.

Stated meetings.

SECTION 17. That each board of directors and controllers shall hold at least one stated meeting in every three months; and such other meetings as the circumstances of the district may require, shall be held at such time and place as may be designated by the president and secretary, upon due notice given to each member of the board. If less than a majority of directors or controllers attend any meeting, no business shall be transacted thereat, except that of adjournment, and of appointment to fill vacancies in the board, as is hereinbefore directed.

#### IV.—CORPORATE NAME AND POWERS OF SCHOOL DISTRICTS.

Bodies corporate.

SECTION 18. That the several school districts within this Commonwealth shall have capacity as bodies corporate:

I. To sue and be sued as such, by the corporate name of the school district of ————

To hold real and  
personal property  
and to sell, &c.

II. To purchase and hold such real and personal property as may be necessary for the establishment and support of the schools, and the same to sell, alien, and dispose of, when it shall no longer be necessary for the purposes aforesaid, and, also, whenever the board of directors, or controllers in cases where school property has been conveyed to them, shall deem it expedient to make sale of the said real estate, for the purpose of re-investing the proceeds thereof for school purposes; and in cases where real estate is held by trustees, or others, for the general use of a neighborhood—for a school house or its appendages—and when the same shall cease to be required, it shall be lawful for the said trustees, or others, their survivor or survivors, or successors, to convey the same to the proper district, which shall be thereafter held by said district, for the same term and for the same uses for which it was originally granted to said trustees or others. But should the said trustees, from indisposition on the part of the proper board of school directors of the district, to accept of said conveyance, or from other causes, find it impossible to release themselves from said trust, they, or

Real estate held  
by trustees.



a majority of them, may apply to the court of common pleas of the proper county, praying said court to authorize and direct the aforesaid trustee, trustees, or other persons, to make sale of the same, having first given two weeks' previous notice, in one or more of the public prints of said county, of the time and place of said sale, and shall make return of proceeds of sale to said court, that the same may, by the direction of said court, be added to the funds of the proper school district; whereupon the said trustee, trustees, or other person, shall be discharged from all responsibility in the premises.

SECTION 19. That all deeds and other contracts in writing, Deeds made by a school district, shall be signed and sealed by the president of the board of directors or controllers, and countersigned by the secretary.

SECTION 20. That all suits by a school district shall be Suits. brought in its corporate name, and be conducted and managed by the board of directors or controllers, as the case may be; and all suits against such district shall style the same by its corporate name, and all legal process, other than writs to enforce payment of a judgment, shall be served on either the president or secretary of the board of directors or controllers, as the case may be.

SECTION 21. That if judgment shall be obtained against a Judgments and executions. school district, in any action or proceeding, the party entitled to the benefit of such judgment may have execution thereof, as follows, and not otherwise, to wit: It shall be lawful for the court in which such judgment shall be obtained, or to which such judgment shall be removed by transcript, from a justice of the peace or alderman, to issue thereon a writ, commanding the directors or controllers and treasurer of such school district to cause the amount thereof, with interest and cost, to be paid to the party entitled to the benefit of such judgment, out of any monies unappropriated of such district, or, if there be no such monies, out of the first monies that shall be received for the use of such district, and to enforce obedience to such writ by attachment.

#### V.—REAL ESTATE FOR SCHOOL HOUSES.

SECTION 22. That for the purpose of erecting school houses Borrow money. or purchasing ground whereon to erect school houses, it shall be lawful for the directors or controllers of any district to borrow money at a rate of interest not exceeding six per centum, and issue bonds therefor in sums of not less than one hundred dollars each: *Provided*, That the total indebtedness incurred by any district under the provisions of this act shall not at any time exceed one-half of one per centum of the assessed value of the real estate of such district.

#### VI.—GENERAL POWERS AND DUTIES OF THE DIRECTORS.

SECTION 23. That the board of directors of every district, and controllers in cities and boroughs, under the provisions of section second, shall possess and exercise the following powers and perform the following duties, together with the other powers and duties given and enjoined by this act:

1. They shall establish a sufficient number of common schools To establish schools. for the education of every individual above the age of five and under twenty-one years, in their respective districts, who may Age of pupils.



apply for admission and instruction, either in person or by parent, guardian or next friend.

Erection of buildings.

II. They shall cause suitable lots of ground to be procured and suitable buildings to be erected, purchased or rented for school houses, and shall supply the same with the proper convenience and fuel, and shall have power with the directors and controllers of adjoining districts to establish joint schools, and the expenses shall be paid as may be agreed upon by the directors or controllers of said districts.

Joint schools.

Real estate held by trustees for use of neighborhood.

III. In all cases where real estate has been or is held by trustees for the general use of the neighborhood as a school house or its appendages, and the same has been or shall be conveyed to the school district by the surviving trustees, such conveyance shall be as valid to pass the legal estate in the premises to such school district as if executed by all of them, pursuant to the fourteenth section of the act of thirteenth June, Anno Domini, one thousand eight hundred and thirty-six.

To visit schools.

IV. They shall exercise a general supervision over the schools of their respective districts, and shall by one or more of their number visit every school in the district at least once in each month, and shall cause the result of such visit be entered on the minutes of the board.

Appoint teachers.

V. They shall have the appointment of all the teachers of common schools in the district, fix the amount of teachers salaries, and may dismiss them at any time for incompetency, cruelty, negligence or immorality.

Branches to be taught.

VI. They shall direct what branches of learning shall be taught in each school, and what books shall be used, agreeably to the provisions of the twenty-fifth and thirty-eighth sections of this act, and may suspend or expel from the school all pupils found guilty on full examination and hearing of refractory or incorrigibly bad conduct.

May expel or suspend pupils.

Expenses.

VII. They shall pay all necessary expenses of the schools by drafts on the district treasurer, signed by the president and attested by the secretary of the board, the same being entered on the minutes.

Report to county superintendent.

VIII. Each board of directors and controllers shall annually on or before the first Monday in June, make a report to the county superintendent, setting forth the number and situation of the schools in their district; the character of the teachers, designating whether male or female; the number and sex of the scholars admitted during the year; the number of months in the year during which each school shall have been open; the amount of school tax levied and collected; the cost of school houses either for building, renting or repairing; and all other expenses which may have been incurred in maintaining the schools of their districts, together with such other information as may be beneficial in forming a just estimate of the operation of the school system.

Grades of schools.

IX. The directors and controllers of the respective districts, shall have power to establish schools of different grades, and to determine into which school each pupil shall be admitted; and if it shall be found, that on account of great distance from, or difficulty of access to the proper school house in any district, some of the pupils thereof could be more conveniently accommodated in the schools of an adjoining district, it shall be the duty of the directors or controllers of such adjoining districts, to make an arrangement by which such pupils may be instruc-

Pupils may attend schools of adjoining districts.

ted in the most convenient school of the adjoining district; and the expense of such instruction shall be paid, as may be agreed upon by the directors or controllers of such adjoining districts, by resolution or agreement entered upon the minutes of the respective boards.

SECTION 24. That the directors or controllers of the several districts of the State, are hereby authorized and required to establish, within their respective districts, separate schools for the tuition of negro and mulatto children, whenever such schools can be so located as to accommodate twenty or more pupils; and whenever such separate schools shall be established, and kept open four months in any year, the directors or controllers shall not be compelled to admit such pupils into any other schools of the district: *Provided*, That in cities or boroughs, the board of controllers shall provide for such schools out of the general funds assessed and collected by uniform taxation for educational purposes. Schools for negroes.

SECTION 25. That immediately after the annual election of teachers in each school district of the State, and before the opening of the schools for the ensuing term, there shall be a meeting of the directors, or controllers, and teachers of each district; at which meeting the directors and controllers shall select and decide upon a series of school books, in the different branches, to be taught during the ensuing school year; which books, and no other, shall be used in the schools of the district during said period. Meeting of controllers or directors and teachers.

SECTION 26. That it shall not be lawful for the county superintendents, directors or controllers, or any other persons officially connected with the common school system, to become agents for the sale, or in any way to promote the sale of any school books, maps, charts, school apparatus or stationery, or to receive compensation for such sale, or promotion of sale, in any manner whatsoever; and any violation of the provisions of this section shall be deemed a misdemeanor, and punishable with a fine or imprisonment. Agents for sale of books.

SECTION 27. That it shall be the duty of every teacher employed under the provisions of this act to make out and file with the board of directors or controllers of the district at the end of each month, a report, setting forth the whole number of pupils attending school during the month, designating whether male or female, the number of days each attended, the books used and branches taught; and until such report shall have been made, it shall not be lawful for the board of directors to pay said teacher for his or her services. The reports made in pursuance of the foregoing provisions, shall be regularly filed by the secretary of the board of directors or controllers, and shall at all times be subject to the inspection of any citizen of the district. Report of teachers.

#### VII.—ASSESSMENT AND COLLECTION OF SCHOOL TAX.

SECTION 28. That the school directors or controllers of every district shall annually, on or before the first Monday of May, and by the votes of not less than a majority of the members of the board, determine the amount of school tax which shall be levied on their district for the ensuing school year, which shall, together with such additional sums as the district may be entitled to receive out of the State appropriation, and from other sources, be sufficient and necessary to keep the schools of the district in Tax.



operation not less than four nor more than ten months in the year.

County commissioners to furnish adjusted valuation.

SECTION 29. That for the purpose of enabling the board of directors or controllers to assess and apportion the tax for the ensuing school year, the county commissioners shall, when required, furnish the president or secretary of the board with a correct copy of the last adjusted valuation of proper subjects and things made taxable in the same, for State or county purposes, which said property, subjects and things are hereby made taxable for school purposes, according to the provisions of this act.

Apportionment of tax.

SECTION 30. That the board of directors or controllers shall, on or before the first Monday in June, annually, proceed to levy and apportion the said school tax, pursuant to this act, not exceeding the amount of State and county taxes authorised by law to be assessed on all objects, persons and property, made or to be made taxable for State or county purposes, and that all the taxes levied and assessed by the directors or controllers within each school year, shall be contained in the same duplicate: *Provided*, That any tax on trades, professions and occupations, or on single freemen, shall in no case be less than fifty cents.

Tax collectors.

SECTION 31. That the board of directors or controllers shall appoint some suitable and competent person as collector of the school tax duplicate for each township, borough or ward, who shall be allowed such compensation as may be agreed upon, not exceeding five per centum on the money collected, for his services, and to whom a warrant shall be issued by the president, and countersigned by the secretary of the board of directors or controllers, authorizing and requiring him to demand and receive from every person in such duplicate named, the sum wherewith such person stands charged, in the same manner, and with like power and authority to enforce the collection of the same as is now or may hereafter be conferred by law upon the collector of county taxes; and the board shall have the right at all times, to make such abatements or exonerations for mistakes, indigent persons or unseated lands, as to them shall appear just and reasonable; and the secretary shall enter on the minutes the names of all persons in whose favor such abatements or exonerations were made, together with the reasons therefor: *Provided*, That in the event of their failure to procure a collector for any reason, they may appoint to that duty the constable or treasurer of the school district, who shall forfeit for every refusal to execute the same, by proof thereof being made before any alderman or justice of the peace, the sum of fifty dollars, which shall be added to the school fund of the proper district.

Abatements.

Constable or treasurer may be appointed collector.

Collector to give bond.

SECTION 32. That no person shall be appointed collector of the school tax, unless he shall give bond in such amount as shall be determined by the board of directors or controllers, and with such surety or sureties therein as shall be satisfactory to the directors or controllers, or a bond with mortgage of real estate sufficient to secure such amount.

Special tax for building purposes

SECTION 33. That the board of directors or controllers in cities or boroughs, where the school property is vested in them agreeably to the provisions of section second, may at any time, not oftener than once in each school year, levy a special tax, not exceeding the amount of the regular annual tax for such year, to be applied solely to the purpose of purchasing or paying for the ground, and the building or erection of school buildings



thereon, which said tax shall be levied and collected at the same time, in the same manner, and with like authority, as the regular annual tax.

SECTION 34. That whenever school tax assessed on unseated lands in any district, shall not be voluntarily paid by the owner or owners thereof, the collector shall certify the same to the proper county commissioners, who shall enforce the collection thereof, with the taxes assessed on unseated lands, for county purposes; and when so collected, shall be paid to the district treasurer by orders drawn on the county treasurer. Tax on unseated lands.

SECTION 35. That it shall be the duty of the several assessors, to assess such persons as may remove into the respective districts between the last assessment and the first of May in each year, or who may have been omitted from the last assessment, and to return their names, with the amount of State and county tax, payable by each to the board of school directors, who shall thereupon assess the amount of school tax payable by such persons, which tax shall be collected as in other cases. Duty of assessors.

SECTION 36. That as soon as the schools of any district have been kept open and in operation at least four months subsequent to the first Monday in June preceding, the president of the board of directors, or controllers, shall certify the same under oath, or affirmation, together with the name of the district treasurer, and his post office address, to the county superintendent, who shall immediately forward the same to the superintendent of common schools, who upon the receipt of the same shall draw his warrant on the State Treasurer for the whole amount such district is entitled to receive from the annual State appropriation: *Provided*, That said board of directors or controllers shall also have made report of the condition of the schools in their districts, as directed in the twenty-third section of this act. *And provided also*, That the foregoing certificate shall have been transmitted to the superintendent of common schools within the school year for which the warrant is to be issued. Warrant for annual appropriation.

#### IX.—COUNTY SUPERINTENDENTS.

SECTION 37. That there shall be chosen in the manner hereinafter directed an officer for each county, to be called the county superintendent. It shall be his duty to visit, as often as practicable, the several school of his county, and to note the course and method of instruction and branches taught, and to give such directions in the art of teaching and the method thereof in each school, as to him, together with the directors or controllers, shall be deemed expedient and necessary; so that each school shall be equal to the grade for which it was established, and that there may be, as far as practicable, uniformity in the course of studies in schools of the several grades respectively. Duty of county superintendent.

SECTION 38. It shall be the duty of each county superintendent to see that in every district there shall be taught orthography, reading, writing, English grammar, geography and arithmetic; as well as such other branches as the board of directors or controllers may require. In case the board of directors, or controllers shall fail to provide competent teachers to teach the several branches above specified, it shall be the duty of the county superintendent to notify the board of directors or controllers, in writing, of their neglect, and in case provision is not made forthwith for teaching the branches aforesaid, to report such facts to the Superintendent of Common Schools, whose duty it shall be to withhold Branches to be taught in schools.

any warrant for the quota of such district of the annual State appropriation, until the county superintendent shall notify him that competent teachers of the branches aforesaid have been employed. And in case of neglect or refusal of the board of directors or controllers to employ such competent teachers as aforesaid, for one month after such notification by the county superintendent that such teachers have not been provided, such district shall forfeit absolutely its whole quota of the State appropriation for that year.

Triennial conven-  
tion of directors.

SECTION 39. That the school directors of the several counties of the Commonwealth, shall meet in convention at the seat of justice of the proper county, on the first Monday of June next, and on the first Monday of May, in each third year thereafter, and select *viva voce* by a majority of the whole number of directors present, one person of literary and scientific acquirements, and of skill and experience in the art of teaching, as county superintendent for three succeeding school years; and the school directors, or a majority of them, in such convention, shall determine the amount of compensation for the county superintendent, which said compensation shall be paid by the Superintendent of Common Schools, by his warrant drawn upon the State Treasurer, in half yearly instalments if desired, and shall be deducted from the amount of the State appropriation to be paid to the several school districts for said county.

Duties of presi-  
dent and secre-  
tary

SECTION 40. That it shall be the duty of the president and secretary of the triennial convention of directors, to certify to the Superintendent of Common Schools, the name and post office address of the person elected county superintendent in pursuance of the provisions of this act, and those of all the other candidates who received votes, together with the amount of compensation fixed upon by said convention. Upon the receipt of such certificate, if no valid objection be made, the Superintendent of Common Schools shall commission the person so elected for the term of three years; but if objection be made within thirty days to the issuing of such commission, the Superintendent of Common Schools may require such evidence, under oath or affirmation, in regard to the election or qualifications of the person elected county superintendent, as he shall deem necessary, and shall then issue his commission to the person properly qualified who shall have received the highest number of votes.

Examination of  
teachers.

SECTION 41. That it shall be the duty of the county superintendent to examine all the candidates for the profession of teacher, in the presence of the board of directors or controllers, should they desire to be present, to whom they shall first apply in his county, and to give each person found qualified a certificate, setting forth the branches of learning he or she is capable of teaching; and such examination and certificate shall be renewed as often as any such teacher shall be employed in teaching any branch of learning other than those enumerated in his or her certificate, and no teacher shall be employed in any school to teach other branches than those set forth in such certificate of said teacher: *Provided*, That the county superintendent may annul any such certificate given by him or his predecessor in office, when he shall think proper, giving at least ten days previous notice thereof, in writing, to the teacher holding it, and to the directors and controllers of the district in which he or she may be employed



SECTION 42. That the county superintendents shall annually, on or before the first Monday in June, forward to the Superintendent of Common Schools, the reports of the several school districts of their respective counties, and shall also themselves make an extended report of the condition of the schools under their charge, suggesting such improvements in the school system as they may deem useful, and giving such other information in regard to the practical operation of common schools, and the laws relating thereto as may be deemed of public interest.

Reports of directors and county superintendent.

SECTION 43. That until after the election of county superintendents, provided for in this act, it shall be the duty of the Superintendent of Common Schools, by publication at least three successive weeks, in two newspapers for each county, if so many there be, but if none are published in such county, then by printed notices sent by mail to the secretary of each board of directors of each school district in such county, of the time and place for holding the triennial convention of directors; who shall then and there assemble, and select a presiding officer from one of their number, and the directors then present shall proceed to the election of a county superintendent in the manner hereinafter provided. The notice that shall thereafter be given of the assembling of the aforesaid triennial convention, shall be by the county superintendent, in the manner above provided. All expenses of giving notices, directed by this section, shall be paid out of the same funds as the salary of the county superintendent.

Notice of meeting of triennial convention.

Election of superintendent.

SECTION 44. That all vacancies in the office of county superintendent, shall be filled by the appointment of the Superintendent of Common Schools, until the next triennial convention of directors; when any existing vacancy shall be filled by election in the usual manner, for the full term of three years.

Vacancies.

#### X.—PLANS FOR SCHOOL BUILDINGS.

SECTION 45. That the Superintendent of Common Schools shall be authorized to employ a competent person or persons to submit and propose plans and drawings for a school architecture for different grades and classes of school buildings, that shall be adapted for furnishing good light and healthful ventilation; and if such plans and drawings are approved by the Superintendent of Common Schools, he is hereby directed to have them engraved and printed, with full specifications and estimates for building in accordance therewith, and shall furnish a copy of the same to each school district.

Superintendent to procure plans for school houses.

#### XI.—THE SUPERINTENDENT—HIS POWERS AND DUTIES.

SECTION 46. That the Secretary of the Commonwealth shall be the Superintendent of Common Schools, and shall possess and exercise the following powers, and perform the following duties, to wit:

Superintendent, his duties.

I. He shall decide without appeal, and without cost to the parties, all controversies or disputes that may arise or exist among the directors or controllers of any district, between directors or controllers of adjoining districts, or between collectors or treasurers and directors or controllers, concerning the duties of their respective offices; the facts of which controversies or disputes shall be made known to him by written state-

To settle controversies.



ments, by the parties thereto, acting in their official capacities, verified by oath or affirmation if required, and accompanied by certified copies of all necessary minutes, contracts, orders, or other documents.

Shall give advice and information to district officers and citizens.

II. That he shall, whenever required, give advice, explanation, construction or information to the district officers, and to citizens, relative to the common school law, the duties of common school officers, the rights and duties of parents, guardians, pupils, and all others, the management of the schools, and all other questions and matters calculated to promote the cause of education.

Sign all orders on state treasurer.

III. He shall sign all orders on the State Treasurer for the payment of such moneys to the treasurers of the several school districts as they may be entitled to receive from the State, and for all other moneys to be paid out of the appropriation to common schools made by this act.

To prepare and forward blank forms.

IV. He shall prepare blank forms for the annual district reports, with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner, and forward the same to the county superintendents, who shall distribute them to and among the proper district officers of their respective counties.

Report to Legislature.

V. He shall prepare, and submit to the Legislature, an annual report, containing a full account of the condition of the common schools in the State, the expenditure of the system during the year, estimates of the sums requisite for the ensuing year, the whole number of pupils, the cost of teaching each, the number of districts, plans for the improvement of the system, and all such matters relating to the concerns of common schools, and to the duties of his office, as he may deem it expedient to communicate.

Seal.

VI. He shall provide a seal, with suitable device, for the use of the Department of Common Schools, by which copies of papers deposited or filed therein, and all official acts and decisions may be authenticated under said seal; and when so authenticated, shall be evidence equally, and in like manner as the originals: he may also designate and appoint one of the clerks employed by him to be his general deputy, who may perform all the duties of Superintendent of Common Schools in case of his absence, or a vacancy in his office.

Deputy superintendent.

Power to remove county superintendent.

VII. He shall have the power of removing any county superintendent for neglect of duty, incompetency or immorality, and to appoint another in his stead until the next triennial convention of directors.

#### XII.—DUTIES OF COUNTY COMMISSIONERS.

To certify number of taxables.

SECTION 47. That it shall be the duty of the commissioners of each county, to ascertain triennially, with the assistance of the respective assessors, the exact number of taxable citizens residing in each school district in their several counties, and to certify the same under their hands and seals of office to the Superintendent of Common Schools, who is hereby directed to adopt the number of taxables thus certified to him, as the basis of distribution of the State appropriation, which said certificates shall be prepared and transmitted on or before the first Monday of June in every third year, commencing with the first Monday of June, Anno Domini one thousand eight hundred and fifty-four; and if the commissioners of any county shall neglect to forward

such certificates on or before said day, the superintendent may in such case, adopt the number of taxables set forth in the next preceeding certificate or return.

SECTION 48. That if any error in the certificate of taxables shall occur, whereby a district shall receive more or less of the State appropriation than is justly due said district, the county commissioners shall have authority, and they are hereby required, immediately to forward to the superintendent a correct list of taxables, and the superintendent shall thereupon make it the basis of the appropriation due said district. Errors.

SECTION 49. That whenever any new district shall be formed in any county of this Commonwealth, it shall be the duty of the commissioners thereof to certify to the Superintendent of Common Schools, before the commencement of the next succeeding school year, the number of taxable inhabitants therein, and also the number in the district or districts from which it was taken, separately, according to the last preceeding triennial enumeration of taxables made for school purposes, so that the whole number in such new district, and in that or those out of which it was taken, being added together, shall be neither greater nor less than the number that was therein before the change was made, and according to the last triennial certificate or return of taxables thereof made by said commissioners. New districts.

### XIII.—GENERAL AND REPEALING SECTIONS.

SECTION 50. That the act and its supplements now in operation in the city and county of Philadelphia, entitled "An act to provide for the education of children at the public expense within the city and county of Philadelphia," are declared to be concurrent with the provisions of this act, and are in no wise to be considered as altered, amended or repealed, except so far that the said city and county shall be entitled to receive their due proportion and share of the annual State appropriation, nor shall anything contained in this act be deemed and taken to alter or in any manner to interfere with the system of public schools now in operation, in the said city and county; and that the act entitled "An act relating to common schools of the city of Lancaster," approved the second day of January, Anno Domini, one thousand eight hundred and fifty, and the act relative to the common schools in the borough of Carlisle, approved April fifteenth, one thousand eight hundred and fifty, are also hereby continued in full force, so that none of the provisions of this act shall apply to said city or borough, except such as are not inconsistent with the provisions of those acts. Not to apply to Philadelphia.  
Not to apply to Lancaster and Carlisle.

SECTION 51. That no person shall hereafter be incompetent to give evidence in any suit or action in which any school district, or any officer thereof, is a party, for or on account of said person being an inhabitant of the district, or by reason of his being liable to the payment of any tax in which said school district may be interested. Inhabitancy or liability to pay district tax, not to disqualify a witness.

SECTION 52. That all former acts, and parts of acts, relative to the common school system which are supplied by or are inconsistent with the provisions of this act, and all laws relating to or creating independent districts, or authorizing the establishment of sub-districts, and the appointment of committees, are hereby repealed. Repeal.



SECTION 53. That the twenty-third section of the act entitled "An act regulating Boroughs," approved April third, one thousand eight hundred and fifty-one, be and the same is hereby repealed.

Repeal.

SECTION 54. That immediately after the passage of this act the Superintendent shall prepare and have printed and forward six copies of it to the secretary of each board of directors, and one copy to the commissioners of each county in the State.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED — The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 611.

## A SUPPLEMENT

To an act, entitled "An act for the regulation and continuance of a System of Education by Common Schools."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the report of the county superintendent, as provided for by the forty-second section of the act for the regulation and continuance of a system of education by common schools, passed at the present session, shall be made on or before the first Monday of August, A. D., one thousand eight hundred and fifty-four, and on or before the first Monday of June, in each and every year thereafter; and so much of the said act as abolishes independent districts at present established under special acts of Assembly, shall not take effect until the first day of June, one thousand eight hundred and fifty-five.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED — The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 612.

## A N A C T

To incorporate the Western Clinical Infirmary.

WHEREAS, A large proportion of the operatives residing in the city of Philadelphia, are employed in manufactories located in its western districts :

Preamble.

And whereas, Such persons as a class are most exposed to aggravated injury and least able to obtain the necessary means of relief, it is desirable and humane that an institution for the dispensation of medical and surgical advice and treatment, properly disposed and constituted should be established in their midst :

And whereas, In such institutions in which the sick are aggregated under one jurisdiction, great facilities are afforded for the study of diseases, it is right and a duty that such a plan or plans should be adopted as may best appropriate such means of knowledge to the development of truths appertaining to medical science, and ultimately promote the well-being of mankind : for the better prosecution of this charitable design it is thought judicious that the medical treatment in the institution, be conducted on the principle of specialities, each physician of the faculty devoting himself to the consideration and treatment of a special class of diseases, that he may thereby become more thoroughly acquainted with their peculiarities and better able to suggest those means applicable for their relief ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons each of whom shall have contributed the sum of fifty dollars or more, for the purpose of establishing an infirmary for the medical and surgical treatment of the sick and infirm, but deserving poor, and all who may thereafter contribute like sum or more, be and they are hereby created and erected into a body politic and corporate in deed and in law by the name, style and title of the Western Clinical Infirmary, and by that name and title shall have perpetual succession, may sue or be sued, plead or be impleaded, and shall be able and capable in law and in equity to receive, take and hold by purchase, gift, devise or bequest for the use of the said infirmary, lands, tenements and hereditaments, and estate real and personal whatsoever or wheresoever, to an amount not exceeding the yearly value of ten thousand dollars, the same to grant, bargain or sell, transfer, assign, mortgage and convey in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have and use a common seal, and the said seal to change and renew at pleasure, and generally to do any other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

Corporation

Style.

Privileges.

SECTION 2. That Job R. Tyson, A. G. Waterman, Jesper Harding, Thomas Drake, J. V. Williamson, John M'Clure, Reverend J. H. Fowles, C. Leland, Reverend M. G. Clark, W. M. Swain,

Board of Managers.

F. H. Dreer, E. W. Clark, W. H. French, John Farnum, James W. Brown, constitute the first board of managers of the said infirmary ; their term of office being, for five, one year ; for other five, two years ; and for other five, three years, as shall hereafter be determined among themselves, the official term commencing with the date of the act ; and for the further and perpetual sustaining of the board of managers, it shall be the duty of the contributors or as many as may see fit, to assemble at some convenient place in the city on the last Monday in March, of the year one thousand eight hundred and fifty-five, and annually thereafter on the same day of the year, then and there to elect by ballot for the term of three years five suitable persons from among their number, to act as managers in the place of those whose term of office shall have expired at that time.

Medical board.

SECTION 3. That Joseph Klapp, M. D., James L. Tyson, M. D., O. H. Partridge, M. D., George R. Morehouse, M. D., D. D. Clark, M. D., J. F. Gayley, M. D., together with such others as may hereafter be appointed, constitute the first medical board of this corporation, and that they continue in office until they or each of them resign, or are displaced by the board of managers, at the request in writing, of a majority of the faculty ; vacancies occurring in this board, shall be filled by such persons as the board of managers shall elect by ballot, from nominations presented in writing by the majority of the faculty, such new members to possess all the privileges of the medical board instituted by this act.

By-laws and orders.

SECTION 4. That the said contributors met shall have the power to make such laws, rules and orders as may appear necessary or expedient for the well-being of the said infirmary, for the regulation of the election of officers, their duties and privileges, their number and term of office, not hereinbefore stated, and generally for the well ordering all other things concerning the government, estate, goods, lands, revenues, as, also, the business and affairs of the said corporation ; all which laws, rules or ordinances they may amend, alter or repeal at their pleasure : *Provided*, That such laws and ordinances be not repugnant to the laws of the United States or of this Commonwealth.

Proviso.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 613.

## AN ACT

Relative to Tavern Licenses in Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the seventh section of the act to which this is a supplement, be and the same is hereby repealed and the sale of malt liquors by a less measure than ten gallons is hereby prohibited in the county of Clarion; and the provisions of the act of fourteenth of April, Anno Domini, one thousand eight hundred and fifty-one, are hereby revived, so far as respects the said county of Clarion: *Provided,* It shall be sufficient if a majority of such signers for a license appear in court to testify as provided for in said section.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 614.

## AN ACT

Relative to Tolls on the North Branch extension of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the thirty-fourth section of an act entitled "An act to provide for the ordinary expenses of government; the repairs of the public canals and railroads, and other general and special appropriations," passed the tenth day of May, one thousand eight hundred and fifty, be and the same is hereby repealed, and that the tolls mentioned in said section shall be levied as other tolls are now levied by the Canal Commissioners.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



## LAWS OF PENNSYLVANIA,

No. 615.

## A N A C T

Relating to the School District of the borough of Lawrenceville, Tioga county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of the borough of Lawrenceville, in the county of Tioga, or a majority of them, are hereby authorized to purchase or rent the academy lot and buildings in said borough, and are further authorized and required to procure one person as principal, who shall be competent to teach all branches usually taught in academies and schools of a higher order, and as many under teachers as may be necessary, who shall instruct all the scholars within said borough that may wish to attend said school.

SECTION 2. That said school shall be kept open nine months in each and every year, and be divided into terms of three months each, and all appropriations, as well as money raised by taxation for school purposes in said borough, shall be applied quarterly, *pro rata*, among the scholars attending said school.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 616.

## A N A C T

Repealing the seventh section of an act, entitled "An act to incorporate the Muncy Creek Plank Road Company; relative to Tavern Licenses in Lycoming county, et cetera."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the seventh section of an act, entitled "An act to incorporate the Muncy Creek plank road company; relative to tavern licenses in Lycoming county, et

cetera," approved April eleventh, one thousand eight hundred and fifty, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 617.

A SUPPLEMENT

To an act, entitled "An act to authorize the Governor to incorporate a company to erect a toll bridge over the West Branch of the river Susquehanna, at Walton's Landing."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the president and managers of the bridge company incorporated under the act of Assembly to which this is a supplement, be and they are hereby authorized and empowered to borrow, from time to time, any sum or sums of money that they may judge necessary, for the purpose of finishing and completing said bridge, not exceeding five thousand dollars, and to mortgage or pledge their corporate property, or part thereof, as a security for said loan or loans, or appropriate the tolls to their liquidation as may be by them deemed best: *Provided,* No bonds shall be issued for a less amount than one hundred dollars.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 618.

## A N A C T

Declaring a certain lot of ground, in the borough of Indiana, a public Street.

WHEREAS, When the commissioners of Indiana county were authorized by the Legislature of this Commonwealth to lay off a portion of the ground reserved for public buildings, in the borough of Indiana, into lots, and make sale of the same, the said commissioners laid off three in-lots on the north side of Philadelphia street from the western part of the said public ground, and it is believed that the said commissioners with the design and intention of procuring a higher price for the lot next to where the public offices are erected, laid off an alley to run between the said lot and the ground as appears by their deed to the original purchaser of the said lot, but the commissioners neglected to have the same marked on the plan of said borough, in consequence whereof disputes may hereafter arise as to the existence of said alley:

*And whereas,* The court of quarter sessions of said county have no jurisdiction to order and direct an alley to be laid out, as it is believed that one already exists; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the open space of ground lying between in-lot number one hundred and thirty-eight, in the borough of Indiana, and now owned and in the possession of Leonard Shryock, and the public offices of Indiana county, commencing on the north side of Philadelphia street, in said borough, and extending north two hundred feet to an alley, is hereby declared to be, and shall remain, a street or alley and public highway forever, and the breadth thereof shall be twenty-four feet, to commence at the south-eastern corner of said in-lot, number one hundred and thirty-eight, and to continue parallel with the said in-lot at the same breadth until it terminates in the alley at the north end of said lot.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 619.

## AN ACT

Relative to the New Hope, Doylestown and Norristown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time of commencing the New Hope, Doylestown and Norristown railroad, is hereby extended for two years from the passage of this act.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 620.

## AN ACT

Regulating the salary of the Marshal and Lieutenants of Police, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of August, one thousand eight hundred and fifty-four, the marshal of police, of the city of Philadelphia, shall receive an annual stipend or salary of two thousand five hundred dollars, to be paid in quarterly payments, out of the treasury of said city; and any existing law or laws as is hereby altered or supplied, shall be and the same is hereby repealed; and that the lieutenants of the marshal's police, shall receive a salary at the rate of eight hundred and fifty dollars per annum, which salaries of said marshal and lieutenants shall be calculated from the commencement of the present year.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 621.

## AN ACT

Relative to the collection of costs incurred in the Collection of Taxes on Inns and Taverns, Breweries, Brokers and Patent Medicines, in the city and county of Philadelphia, for the years eighteen hundred and fifty and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first and second sections of the act, entitled "An act relative to roads and highways in Philadelphia county, and the Norristown and Valley railroad company," and supplementary to an act, entitled "An act relative to tax collectors in Montgomery county; to registered taxes within the county of Philadelphia," passed the twelfth day of April, one thousand eight hundred and fifty-one, be and the same are hereby extended to costs incurred in the collection of taxes on inns and taverns, breweries, brokers and patent medicines, in the city and county of Philadelphia.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 622.

## A SUPPLEMENT

To an act entitled "An Act to incorporate the Harrisburg Female Seminary," passed the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* the building now occupied and to be hereafter occupied by the Harrisburg female seminary, and the lot of ground thereto belonging and appertaining, with the appurtenances, situate in the borough of Harrisburg, in this Commonwealth, be and the same are hereby exempted from all and every county, city, bo-

rough, road, poor and school tax, during the continuance of the present lease by said Harrisburg female seminary.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 623.

### SUPPLEMENT

To an Act entitled "An Act authorizing the Governor to incorporate the Lycoming Navigation and Railroad and Coal Company," passed the ninth day of April, one thousand eight hundred and twenty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any omission heretofore, to comply with the provisions of the eleventh section of the act to which this is a supplement, by the Red Run Coal company, shall in no wise effect or invalidate the charter of said company; and so much of the said section as requires the publication of annual statement of the concerns of said company, in the several newspapers published in Lycoming county, be and the same is hereby repealed.

M. M'CASLIN,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

WM. BIGLER.

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

No. 624.

### AN ACT

For the payment of certain ground rent due by the Commonwealth to the estate of William Hamilton, deceased.

WHEREAS, The Commonwealth of Pennsylvania is in the occupancy, use and possession of a certain lot or piece of ground in the city of Lancaster, on which is erected the collector's office for the Philadelphia and Columbia railroad:



*And whereas*, Said lot or piece of ground is subject to a yearly rent, charge or ground rent in favor of the heirs of William Hamilton, deceased, of four dollars and ninety cents:

*And whereas*, Said yearly sum, with the interest thereon, has been due and unpaid for the period of twenty-nine years, ending the first of May, one thousand eight hundred and fifty-three; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Canal Commissioners and the Auditor General are hereby authorized and required to examine the claim of the heirs of William Hamilton, deceased, for ground rent, and report the amount due, if any, to the Legislature.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 625.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the Shrewsbury and Hopewell Plank Road Company," and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Shrewsbury and Hopewell plank road company, of York county, be and they are hereby authorized to erect and set up a gate or gates, and levy and collect tolls, when they shall have completed said road between the Baltimore and Susquehanna railroad, at Klinefelter's switch, and the borough of Shrewsbury.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 626.

## A N A C T

To incorporate the Morrison's Cove and Woodcock Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. James Entrieken, J. T. Shirley, Isaac Rhodes, E. H. Lytle, Doctor John Getty, Frederick Roads, John Hagay, John Broombaugh and John King, of Blair and Huntingdon counties, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the "Morrison's Cove and Woodcock Style. Valley turnpike road company," to locate and construct a turnpike road from the terminus of the present Morrison's Cove turnpike, at Clover creek, in the county of Blair, to the Huntingdon and Broad Top railroad, in the county of Huntingdon, at or near the farm of J. T. Shirley, to intersect said railroad, subject to all the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January; Subject to provisions of certain act. one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of said company shall consist of two hundred and forty shares, at twenty-five dollars per share: *Provided,* The said company may from time to time, at Capital stock a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as in their opinion may be required to complete the road, according to the true intent and meaning of this act. Proviso

SECTION 3. That the said company may commence the construction of their road at any intermediate point: *Provided,* Commencement and completion of road Such commencement shall be within five years after the passage of this act, and should the said company fail to complete their road within ten years after the same shall have been commenced, then this act shall be null and void, except so far as shall become necessary to settle up the affairs of the company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 627.

## AN ACT

To incorporate the German Library Association of the city of Pittsburgh, Pennsylvania.

**Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That John G. Backofen, Edward Fendrich, Frederick S. Schench, Th. Umbstaetler, Reinhold Siedle, Charles Barchfield, J. G. Backofen Fred. Schenck, M. Doerflinger, Wm. Wierneburg, Alexander Holstein, and their associates members of the German Library association, in the city of Pittsburgh, and all who may hereafter become members, are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the "German Library association of the city of Pittsburgh," for the object of diffusing useful knowledge; encouraging general information, and promoting social improvement.

**Style.**

**Privileges.** SECTION 2. That the said corporation, by the same name, style and title, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors, for the use of said society, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which now are or hereafter may become the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise from any person whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use and benefit of the said society, and in general to do all things which may be necessary for the well being and due management of said corporation.

**Debts of the corporation.** SECTION 3. That all bona fide engagements entered into, and liabilities contracted heretofore by individuals for the proper debts of the said association, or for money borrowed for its use and benefit, and by its authority, shall immediately after the passage of this act be held and deemed the debts of the body politic and corporate hereby created, which shall be liable therefor in its corporate property and capacity, and all monies now due and owing to the said institute shall be taken and deemed to be monies due and owing to the said corporation, and all property, real or personal, now owned by said institute shall be held and owned by the said corporation: *Provided,* That the yearly income or value of said estate shall not exceed five thousand dollars: *And further provided,* That on the refusal or neglect of said association to pay the debts contracted by its members in their individual capacity, the said individuals shall be held liable for the same.

**Proviso.**

**Proviso.**

**Meetings.** SECTION 4. That the members of said institute shall on or before the first day of July, Anno Domini, one thousand eight hundred and fifty-four, upon ten days' public notice being given, meet in their hall and organize their institute under this act of



incorporation, and shall have full power to enact and enforce such by-laws and ordinances as they shall think proper for their government, and for the regulation and transaction of the business of said institute, and to make, use and have a common seal, and the same to break, alter and renew at their pleasure, and shall have power to select such officers and at such times as they may deem proper: *Provided*, That the by-laws, and ordinances and all the acts of said institute shall not be contrary to this charter, nor to the constitution and laws of the United States or of this Commonwealth.

SECTION 5. That no enumeration of powers, privileges and duties herein contained shall be so construed as to exclude others not enumerated, which are necessary to the proper fulfilment of the designs and purposes of this act, and not inconsistent with its express provisions and limitations.

SECTION 6. That the Legislature hereby reserves the right to alter, amend or repeal this act, in such a manner however as to do no injustice to the corporators.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 628.

## AN ACT

To annul the marriage contract between John Hunter Graham and Jane De Tracey Graham his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the marriage contract entered into between John Hunter Graham and Jane De Tracey Graham, of Dauphin county, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from the duties and obligations arising therefrom, as fully and effectually as if they had never been joined in marriage.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 629.

## A FURTHER SUPPLEMENT

To the act, entitled "An act concerning Divorces."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in addition to the cases now provided for by law, it shall be lawful for the courts of common pleas of this Commonwealth, to grant divorces in the following cases:

Divorces

I. Where an alleged marriage was procured by fraud, force or coercion, and has not been subsequently confirmed by the acts of the injured party.

Guilty of felony  
cause for divorce.

II. Where either of the parties shall have been convicted of a felony, and sentenced by the proper court either to the county prison of the proper county, or to the penitentiary of the proper district, for any term exceeding two years: *Provided*, That such application for a divorce, be made by the husband or wife of the party so convicted and sentenced.

Proviso

Cruel and barbarous  
treatment.  
Proviso

III. Where the wife shall have, by cruel and barbarous treatment, rendered the condition of her husband intolerable, or life burdensome: *Provided*, That in cases of divorce under this act, if the application shall be made on the part of the husband, the court granting such divorce, shall allow such support or alimony to the wife, as her husband's circumstances will admit of, and as the said courts may deem just and proper.

Proceedings the  
same as under  
former acts.

SECTION 2. That the proceedings in cases embraced within the provisions of this act, shall be the same as those prescribed by the act, entitled "An act concerning divorces," approved the thirteenth day of March, one thousand eight hundred and fifteen, and the several acts supplementary thereto, with the like right of appeal as is therein given; the word citizen, used in the eleventh section of the said act, shall not be so construed as to exclude any party who shall, for one year, have had a bona fide residence within this Commonwealth, previous to the filing of his or her petition or libel.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 630.

## AN ACT

To enable the courts to vacate lanes, alleys, roads and highways, when become useless.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any private or public lane, alley, road or highway shall, by reason of forming town plots or otherwise, become useless to the public and those having lands bounding thereon, it shall be lawful for any twelve freeholders of the vicinity, to petition the court of quarter sessions of the proper county, setting forth such fact, and whether the same was laid out by the public or private owners, whereupon, the said court shall grant a rule to show cause why such lane, alley, road or highway be not closed up and vacated, which rule shall be published in one or more newspapers for four weeks, twice a week, in any city, and once a week in other parts of the State; and in the case of a private alley, lane or road, all persons having interests and rights therein, who shall not be petitioners, shall have notice thereof, in writing, duly served upon them; and upon hearing all parties interested, it shall be lawful for the court to decree the vacation of any such lane, alley, street or highway, presently upon such hearing or after such further delay as the said court may think necessary for the expression of the views of all parties desiring to be heard: *Provided*, That in the case of a private way laid out by the owners of the soil, the same shall not be vacated without, the consent of all persons for the time having an interest therein, for which purpose a guardian may consent for a minor, a committee for a lunatic, and husband and wife for the wife, and trustees for the estates they hold in trust: *And provided*, That in the case of a public way, the court may, if it deems it necessary, refer the ascertainment of the facts to six road viewers, to be appointed or drawn according to law, to report for the information and final judgment of the court.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM BIGLER.



No. 631.

## A FURTHER SUPPLEMENT

To the act incorporating the Sunbury and Erie Railroad Company.

Board of man-  
agers.

Provide.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* The board of Managers of the Sunbury and Erie railroad company shall consist of thirteen, who shall be chosen as follows: Any municipal corporation that shall at the time hold five thousand shares or more of the capital stock of the said company, may elect one manager for each five thousand shares so held, such election to be by the constituted authorities of such corporation, and to be made not more than thirty nor less than five days prior to the day of the annual meeting of the stockholders of the said company: *Provided,* That no one such corporation shall elect more than three managers, and not more than five managers shall at any time be so elected by all of such corporations; and if at any time municipal corporations shall, by reason of stock held be entitled to elect more than five managers, then only those whose stock has been held the longest shall exercise this right, to the extent of five managers, such number of the board of managers as shall not have been elected by municipal corporations as aforesaid, shall be elected by the other stockholders at the annual meeting, by a majority of the votes given, the said board of managers shall hold their seats from the day of their election, and shall at their first meeting and whenever a vacancy shall occur, elect one of their number as president, and may also whenever they may think it expedient elect a vice president and prescribe his functions and duties.

Voting

SECTION 2. That no municipal corporation shall be entitled to vote at the general elections for managers, which shall have elected one or more members of the board of managers; and no share of stock shall confer a right of suffrage upon which any instalment remains due and unpaid, nor unless the same shall have been held by the party offering to vote, and so appear upon the books of the company, for at least thirty days prior to such election or stock vote.

Meetings

SECTION 3. That the board of managers may on the written request of the holders of five hundred shares of the stock of said company, they shall call a meeting of the stockholders of the company, of which meeting thirty days notice shall be given in the manner now required by law, as to the annual meetings of the stockholders.

Declaration

SECTION 4. That upon the entry of any appeal as aforesaid, it shall be the duty of the party claiming damages to file a declaration or statement of his claim, to which the other party shall plead and the case proceed to trial as in other civil causes.

Repeal.

SECTION 5. That so much of the fourth section of the act of twenty-seventh of March, Anno Domini, one thousand eight hundred and fifty-two, as requires that the jurors or assessors of damages shall be appointed from adjoining counties is hereby repealed.

SECTION 6. That the clause contained in the eleventh section of the act to which this is a supplement, which prevents the road of the said company from passing through any burying ground, shall only apply to such grounds as have been used for purposes of interment before the location of the said road through them. Location of road through burying grounds.

SECTION 7. That in all cases of difference arising between the Sunbury and Erie railroad company, and the supervisors of any township, relative to any road, cause-way or bridge which has been or may be altered or supplied by the said Sunbury and Erie railroad, the court of quarter sessions of the county in which the same may lie, shall appoint three commissioners who shall examine the matter in dispute, and their decision or that of a majority of them shall be final and conclusive between the parties, the compensation of said commissioners to be the same as that of viewers of roads, and to be paid by the said company, the report of the said commissioners to be filed in the office of the clerk of court of quarter sessions of the proper county. Cases of difference how decided.

SECTION 8. That the said Sunbury and Erie railroad company shall have authority to construct lateral or branch roads from their main road, not exceeding five miles in length. Lateral roads.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 632.

## A N A C T

Relative to the Lehigh Valley and Allentown Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of damages sustained by or injury done to the owner of any land through or near which the Lehigh valley or Allentown railroad has been or is about to be constructed, and such owners are minors, it shall and may be lawful for the guardians of such owners, with the approbation of the orphans' court of the proper county, and the Lehigh Valley and Allentown railroad companies, amicably to adjust the amount of damages to be paid, if they can agree; and upon payment of the amount, it shall be lawful for such guardians to release the said company from all claims therefor, and to make the neces-

sary deed of conveyance to said company, for the land occupied by such railroad and its appurtenances.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 633.

### A FURTHER SUPPLEMENT

To an act incorporating the Pittsburg, Kittanning and Warren Railroad Company

Powers in relation  
to public roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the Allegheny Valley railroad company shall find it necessary to change the site of any portion of any turnpike or public road, they shall cause the same to be re-constructed forthwith, at their proper expense, on the most favorable location, and in as perfect a manner as the original road: *Provided,* That the damages incurred in changing the location of any road authorized by this section, shall be ascertained in the same manner as is provided for, in regard to the location and construction of their own road.

Authority to construct their road over navigable rivers, &c.

SECTION 2. That the said railroad company shall be and are hereby empowered in as full and perfect a manner as possessed by this Commonwealth, to construct their road along and over any navigable river, water course or highway in this Commonwealth; and in the construction of their road to use so much of the channel of said river, water course or highway, or to change the same, as may be necessary for said purpose: *Provided,* No interruption shall be caused to the ascending or descending navigation of said river or water course: *And provided further,* That said company shall make sufficient cause-ways for the use of riparian owners when required so to do: *And provided further,* That said piers shall not be erected in the rafting or low water channel of any stream used for descending navigation.

Branch roads.

SECTION 3. That said company are authorized to construct branch roads in the counties of Armstrong, Clearfield and Venango.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 634.

AN ACT

To authorize the Directors of the Poor and Commissioners of Delaware county, to sell and purchase certain Real Estate.

WHEREAS, By indenture dated the second day of April Anno Domini, one thousand eight hundred and forty-nine, (recorded in deed book T, page two hundred and seventy-three, et cetera,) Brinton Jones and Isaac Hinkson, trustees, appointed by the orphans' court of Delaware county, to make sale of the real estate of Woodward Crosley, deceased, did grant and convey unto Minshall Painter, John Clayton and Joel Evans, directors of the poor and of the house of employment for the county of Delaware, their successors and assigns, a certain messuage and tract of land situate in the township of Upper Providence, in the county of Delaware, aforesaid, containing twenty-six acres and one hundred and forty-two perches, more or less, therein particularly described; the whole of the purchase money of said premises having been paid by said directors to said trustees, out of the treasury of said county:

Preamble.

And whereas, Doubts have been entertained in respect to the power of the said directors of the poor and of the house of employment, to purchase and hold the said lands and premises for the use of the poor of said county, and it is proper that the title of the same should be confirmed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing in the act of Assembly incorporating the directors of the poor and house of employment, of the county of Delaware, shall be held or deemed to impair or in any wise to affect the title of the said directors of the poor and house of employment, of the county of Delaware, to the said messuage and tract of land, so as aforesaid, conveyed by the said Brinton Jones and Isaac Hinkson, trustees as aforesaid, but the same shall be held with the same effect, to all intents and purposes, as if the said, the directors of the poor and house of employment, for the county of Delaware, had at the time of receiving the conveyance aforesaid, full power and authority to purchase and hold the same.

Provisions of certain act not to effect title.

SECTION 2. That the directors of the poor and house of employment, of the county of Delaware, with the approbation and consent of the commissioners of said county, to be expressed by their joining in the execution of the deed or deeds of conveyance, are hereby authorized and empowered to sell at public or private sale, the messuages or tenements, lands and premises, or any part or parts thereof, held by said directors for the use of the poor and house of employment, of said county, to any person or persons, for the best price or prices that can be obtained for the same, and upon such terms and securities of payment as they may prescribe, and to make, execute and deliver to the purchaser or purchasers a deed or deeds, granting and conveying the same or any part or parts thereof in absolute fee

Directors of the poor to sell certain real property, &c.

Authority to  
purchase real  
estate. &c.

simple ; the purchase money or proceeds of sale to be paid to the treasurer of said county by said directors.

SECTION 3. The said directors of the poor and house of employment, of said county, are hereby authorized and empowered to purchase, take, receive and hold any lands, messuages or tenements within said county of Delaware, for the use of the poor and house of employment, of said county, and to build, erect and provide suitable buildings and improvements upon the same, for the use and accommodation of the poor of said county ; the proceeds of sale or so much thereof as may be necessary, of the lands and premises now held by the said directors, to be expended and applied to said purchase, buildings and improvements, and the said directors of the poor, et cetera, shall from time to time draw upon the commissioners of said county, for such sum and sums of money as may be necessary for the said purposes ; and the said commissioners shall as often as the said directors shall make such drafts, draw their order and orders upon the treasurer of said county, in favor of said directors, for the payment of such sum and sums of money as the said directors may need and require out of any moneys in the treasury of said county : *Provided*, That before the said directors of the poor, et cetera, shall make such purchase of land and tenements, the commissioners aforesaid of said county shall approve of said purchase by any writing, to be by them signed and sealed with their corporate seal, duly acknowledged, or proved and recorded in the recorder's office of said county, within sixty days after said purchase shall be made and completed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 635.

## AN ACT

Limiting the amount to be assessed for Road and School taxes in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the taxes assessed for road purposes, in the county of Potter, shall not, in any one year, exceed fifteen mills on the dollar of the adjusted valuation of property therein.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 636.

## A N A C T

To annul the Marriage Contract between George W. Canfield and Mary W. Canfield, of Warren County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between George W. Canfield and Mary W. Canfield, of Warren county, be and the same is hereby annulled and made void; and the parties released and discharged from said contract and from the duties and obligations arising therefrom, as fully, effectually and absolutely as if they never had been joined in marriage.

M. M'CASLIN,  
*Speaker of the House of Representatives.*

E. B. CHASE,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 637.

## A N A C T

Relating to certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Spring, in the county of Luzerne, is hereby declared to be erected into a separate election district, and that hereafter the qualified voters of said township, shall hold their general, special, and township elections at the house of Warren Dolph, in said township; and that Warren Dolph shall be judge, and Reese Scull and William Jones inspectors, to hold the first elections under this act; and all laws or parts of laws altered or supplied by this act, are hereby repealed.

Spring township.  
Luzerne county

SECTION 2. That the new township of Bear Creek, Luzerne county, shall be a separate election district, and Stiles Williams is hereby appointed judge, and William Purcell and Jacob Simonson inspectors, to hold the elections therein, until the selection of election officers under the general election laws of the Commonwealth.

Bear Creek town-  
ship, Luzerne  
county.



Wilkesbarre.

SECTION 3. Whereas, by a mistake in the notice of election of officers, given by the high constable of the borough of Wilkesbarre, no election of its borough officers was held on the first Tuesday of May, one thousand eight hundred and fifty-four; therefore an election may be held on the first day of June next, under the provisions of the act incorporating the said borough, for burgess, town council and high constable; and officers so elected, to serve from the period of said election, until the first Tuesday of May thereafter.

Bloss township,  
Tioga county.

SECTION 4. That the general and township elections for the township of Bloss, in the county of Tioga, shall hereafter be held at the Union school house in the village of Blossburgh, in said township.

Windham town-  
ship, Wyoming  
county

SECTION 5. That the general, special and township election for Windham township, Wyoming county, shall hereafter be held at the house of David Fisk, in said township.

Dauphin county.

SECTION 6. That the sixty-ninth section of the act, entitled "An act relating to the elections of this Commonwealth," approved the second day of July, A. D., one thousand eight hundred and thirty-nine, be and the same is hereby fully revived, and made applicable to elections held in the county of Dauphin; and that all acts and parts of acts inconsistent therewith, be and the same are hereby repealed, so far as they relate to the said county of Dauphin.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 638.

## AN ACT

To vacate parts of Timber and Turner's lanes, in the county of Philadelphia.

Timber Lane.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Timber lane, from Schuylkill Fifth street, to Columbia avenue, in the district of Penn, in the county of Philadelphia, be and the same is hereby vacated, and the title to the soil over which the same passes, is hereby vested in fee simple, in the several owners of grounds adjoining and fronting on the said lane, respectively, each owner to have and to take one-half part thereof, so far as his respective lot adjoins and fronts upon the said lane.

SECTION 2. That Turner's lane, from Schuylkill Third street, *Turner's Lane.* to Schuylkill Fifth street, partly in the district of Penn, and partly in Penn township, in the county of Philadelphia, be and the same is hereby vacated, and the title to the soil over which the same passes, is hereby vested in fee simple, in the several owners of grounds adjoining and fronting on the said lane, respectively, each owner to have and to take one-half part thereof, so far as his respective lot adjoins and fronts upon the said lane: *Provided,* That before closing the said lane, there shall *Proviso.* be first opened and dedicated to public use, without any expense to the county of Philadelphia, Montgomery street, from Schuylkill Fourth street, to Schuylkill Fifth street, and Schuylkill Fifth street, from said Turner's lane, southward to Columbia avenue: *And provided further,* That said vacations be first approved by the board of commissioners, of the district of Penn, *Proviso.* or the supervisors of Penn township, so far as said vacations affect said district or township respectively.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 639.

## AN ACT

Authorizing A. B. Renoll and others to sell Salem School House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Andrew B. Renoll, Joseph F. Deerdoff and John Gentsler, trustees of Salem church school house, be and they are hereby authorized to sell, at public sale, at such time as they shall deem most advisable, said school-house, situated in Washington township, York county; the net proceeds arising from such sale shall be paid to the treasurer of Salem church, for the use of said church.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 640.

## AN ACT

To vacate part of Oak street, in West Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Oak street from Crammond to Mansion street, in the district of West Philadelphia, as laid down upon the plan and not opened, be and the same is hereby vacated, and that Lehigh street, from Chestnut to Market streets, be reduced to its width of sixty feet as originally presented to the court by the surveyor of West Philadelphia: *Provided, The same be approved by the board of commissioners of said district, or the councils of the city of Philadelphia.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 641.

## AN ACT

To authorize the erection of a Poor House, by the Borough of Danville and Mahoning Township, in the County of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Robert Moore and Thomas Woods, of the borough of Danville, and Samuel Yorks, Junior, of Mahoning township, in Montour county, be and they are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon and, with the assent of the Court of quarter sessions of Montour county, purchase such real estate as may be necessary and proper for the accommodation of the poor of the borough of Danville and Mahoning township aforesaid. And it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and, upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver to the vender or venders, bonds and mortgage upon said real estate, to secure the payment of so much of the pur-

Commissioners.

Privileges.



chase money thereof as shall then remain unpaid; and also to erect and build thereon suitable buildings for the accommodation and keeping of the poor of said borough and township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said farm and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

SECTION 2. That the said Robert Moore, Thomas Woods and Samuel Yorks, Junior, are hereby constituted directors of the poor in the borough and township aforesaid, until successors are appointed and qualified as hereinafter provided; and they and their successors in office are hereby created a body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of said borough and township, and shall have perpetual succession, by the name, style and title of the Directors of the Poor of Danville and Mahoning, and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars, to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said borough and township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said borough and township.

Directors of the poor.

SECTION 3. That the said Robert Moore, Thomas Woods and Samuel Yorks, Junior, shall continue in office as directors, until the annual March election in the year one thousand eight hundred and fifty-five, at which time the qualified electors of said borough and township shall elect three persons to serve as directors of the poor of said borough and township, one to serve for one year, one for two years, and one for three years; and yearly thereafter the said electors shall elect one person, to serve as director as aforesaid, for three years: *Provided*, That, at all times, one of said directors shall reside in the said township of Mahoning, one in the North ward, and one in the south ward of said borough; and that, at the first election, the director chosen from said township shall hold his office for the term of two years; and the director chosen from the north ward of said borough shall hold his office for the term of three years; and the returns of all elections under this act, and proceedings connected therewith, shall be the same as in the case of the election of township officers: *Provided further*, That any vacancy in the said office of director, by resignation or otherwise, shall be filled by the Court of Quarter Sessions of Montour county, until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid; and the said court shall have power to remove any director, for gross neglect of duty or other misconduct, upon the petition of fifty or more of the aforesaid electors, upon a hearing of the complaint, after reasonable notice to the director complained of.

Term of office.

Proviso.

Proviso.

SECTION 4. The said directors shall, before entering upon the duties of their office be duly sworn or affirmed, to faithfully discharge the duties of said office. And the persons herein appointed directors shall, as soon as they shall think proper, after the passage of this act, appoint a treasurer, steward or superintendent, collector of poor taxes, and such other assistants as they

Qualifications of directors.

Officers.

shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and fifty-five, and in the month of January, in each year thereafter, the said directors shall appoint a treasurer, a collector, a steward, physician and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified, the said treasurer and collector to give bonds, with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as the directors shall require. Any of said officers or assistants may be removed by said directors, for neglect of duty, or for improper conduct in office, and the vacancies as well as all vacancies, which shall otherwise occur to be filled by them.

Quorum, and directors to levy a rate of assessment

SECTION 5. That the said directors, any two of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment, not exceeding one cent on the dollar at one time, upon all real and personal estates within the borough and township aforesaid, for defraying the expenses of purchasing said farm, erecting said buildings, and maintaining the poor in said borough and township, which shall be the same rate per centum in said township and borough, and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies, and having caused fair duplicates of such rate or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax therein, authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of the providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law, to exercise and perform within said borough and township, except so far as such acts, duties and powers as are herein expressly prescribed or limited.

Certificates to be filed in the office of the clerk of the court of quarter sessions

SECTION 6. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said borough and township, file in the office of the clerk of the court of quarter sessions, of Montour county, a certificate setting forth that such buildings are ready for the reception and accommodation of said poor, which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same; and they shall, also, thereupon give notice to the overseers of the poor of said borough and township, of their readiness to receive and accommodate the poor thereof, which said overseers are required forthwith to furnish said directors with a list of the names of the persons then a charge upon said borough and township, respectively, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons or such of them as they shall think it expedient, to be removed to said house so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said borough or township, and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to



relief or support from said directors, or from said borough or township, during the time of such refusal: *Provided, however,* That said directors may, if they think proper, furnish assistance and afford relief to any poor persons, without requiring them to be removed to and kept at said poor house. Proviso.

SECTION 7. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment, and if any poor person, unless unable by reason of age, infancy, disease, infirmity or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to, or receive any relief or assistance during such refusal, and shall immediately upon such refusal be discharged from said poor house. Directors to provide work and employment for poor persons.

SECTION 8. That the overseers of the poor of the borough and township aforesaid, shall as soon as notified by the directors in the manner provided for in the sixth section of this act, cease to act as overseers of the poor in said borough and township, except so far as may be required to settle, adjust and close their accounts as overseers with said borough and township, or with persons with whom they have transacted business, and they shall upon demand deliver to the said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents pertaining to their office as overseers, and shall also pay to the said directors or to the treasurer appointed by them, all the moneys unexpended in their hands belonging to the said borough or township, and the said directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors. Duties of overseers of the poor.

SECTION 9. If upon a final settlement by said overseers of the borough and township aforesaid, of their accounts as overseers, any balance shall be found due them or either of them, the said balance due shall be certified by the auditors making such settlement, and thereupon the said directors are required to issue their order upon the treasurer in favor of such overseer or overseers, for the amount or amounts so certified to be due. Settlement by overseers of the poor.

SECTION 10. The steward or manager of said poor house is hereby required yearly on the first Monday in January, in each year, to furnish to said directors a statement of the income of said real estate, as nearly as the same can be done; also of excess of his expenditures over and above said income; the amount and kind of personal property then on hand, including grain, et cetera; the number of poor persons admitted and discharged during the year, with the number then therein; the length of time each remained, and the age and sex of each: the treasurer shall annually on the first Monday of each year, render to said directors a just and correct account of his receipts and disbursements during the preceding year, and the said directors shall annually in the month of January in each year, publish in two papers published in Danville, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, with a statement of the property real and personal then held by them. Steward to furnish yearly a statement.

SECTION 11. The auditors of the borough of Danville and of the township of Mahoning, shall jointly constitute a board of auditors to settle the accounts of the treasurer and of the di- Duties of the auditors of the borough of Danville.



rectors, which auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day, for every day necessarily employed.

Orders to be directed to the directors.

SECTION 12. All orders issued for the relief of any poor person or persons within said borough or township, after the filing of the certificate mentioned in the sixth section of this act, shall be directed to the directors of the poor of Danville and Mahoning, and upon the receipt of such order, said directors or any one of them shall immediately proceed to inquire into the circumstances, and if the person or persons therein named are found by him to be entitled to relief, he or they shall furnish such relief or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged; any one of said directors shall have authority to direct a poor person to be admitted into said poor house, but no person shall be discharged therefrom unless at his or her own request, except by the direction of at least two of said directors.

Authority to bind out poor children.

SECTION 13. That the said directors are hereby authorized to bind out poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner, and under the same restrictions, as overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor persons under their care, as is now by law vested in the overseers of the poor.

Compensation.

SECTION 14. That the compensation of the treasurer, collector, steward, matron, physician, and other officers or assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors at each yearly settlement, for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of this act until the first yearly settlement, shall be fixed by the board of auditors, at the first yearly settlement; the said directors to furnish the said auditors a correct account of the time and expenses lost and incurred by them in attending to their duties, from which account the said compensation shall be fixed and adjusted.

Proviso.

Appeal.

SECTION 15. That the said directors or treasurer, or any one or more of the tax payers of said borough or township may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the court of common pleas of Montour county, in the same manner, and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed.

Monies to be paid on orders

SECTION 16. That no moneys shall be paid by the treasurer, except upon orders drawn by the directors, and signed by at least two of said directors.

Repeal.

SECTION 17. That all acts of Assembly, or parts of acts hereby supplied or inconsistent with this act, are hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 642.

## AN ACT

Relative to State Roads in Greene County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of any law of Pennsylvania as prevents the courts of quarter sessions from appointing viewers to vacate or change the location of part of any road laid out by act of Assembly, previous to their being opened for travel, is hereby repealed so far as the same applies to Greene county.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 643.

## AN ACT

Authorizing the Auditor General to examine the account of J. Donaldson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Auditor General be and he is hereby authorized and required to examine the claim of J. Donaldson, now of Huntingdon county, late contractor on the Tunkhannock division of the Pennsylvania canal, and report the facts thereof at his earliest convenience to the Legislature, specifying the amount due, if any thing.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 644.

## AN ACT

For the relief of Elsie Fox, Mary M'Bride, Phebe Brown, Lydia Black, Martha Patterson and Thomas Holliday, widows of soldiers and soldier of the Revolutionary and Indian wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the State Treasurer be and he is hereby authorized and required to pay Elsie Fox and Lydia Black, of Greene county, Mary M'Bride and Phebe Brown, of Fayette county, and Martha Patterson, of Lawrence county, widows of soldiers of the Revolutionary war, an annuity of forty dollars each, during life, to be paid half yearly, commencing on the first day of July, Anno Domini, one thousand eight hundred and fifty-four, and a gratuity of forty dollars to each, as provided for in existing laws.

SECTION 2. That the State Treasurer is hereby required to pay Thomas Holliday, or his order, a gratuity of forty dollars in addition to the annuity authorized by act of the present session of the Legislature.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 645.

## AN ACT

Legalizing the selling of produce in the Canal basin in the city of Pittsburgh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall be lawful for any person bringing any produce, marketing, manufactures or other articles down the Pennsylvania canal in any market boat, flat or other craft into that portion of the canal lying within the city of Pittsburgh, commonly known as the canal basin, to sell or otherwise dispose of the same at said basin: *Provided, That* no portion of this act shall be so construed as to allow huckstering



or interfere with the laws regulating the sale of merchandize or wares in this Commonwealth: *And provided further*, That it shall not interfere with the regular business of the canal.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 646.

## AN ACT

To incorporate the Moselem Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Eckert, Job H. Cole, William H. Clymer, John Ger- Commissioners  
nant, senior, John G. Kaufman, Nicholas Fisher, Frederick S. Hunter, Penrose Wiley, Edward M. Clymer, and John Kenerer, of Berks county, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company by the name, style and title of the Style.  
Moselem Turnpike company, with power to construct a turnpike from Leesport, in the county of Berks, to the Moselem iron mines, in Richmond township, in said county, with power to extend the same on to Kutztown, in said county, subject to all Subject to provisions of certain act.  
the provisions and restrictions, and with all the powers and privileges contained in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto: *Provided*, That the said company shall Provide.  
have the right to make use of the whole or any part of any public road, between the said points, that the said company may desire to locate their road upon, and locate their road upon the whole or any part of the ground now occupied by such public road; and it shall be lawful for the court of quarter sessions of said Berks county to appoint viewers, to view and vacate such parts of such public roads as shall be used or rendered useless by the said company, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars per share: Capital stock  
*Provided*, That the company shall be subject to the provisions, Provide.  
restrictions and limitations of the act incorporating the Lancas-

ter and Ephrata turnpike and plank road company, approved March twenty-fifth, one thousand eight hundred and fifty.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 647.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company," approved the eleventh day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proper compensation for all or any damage done, or likely to be done to, or sustained by the owner or owners of land which the said company may enter upon, use or take in the construction and repair of their road, and any of their works, shall be ascertained and adjusted under the provisions, and in the manner provided in the tenth and eleventh sections of the act, entitled "An act regulating railroad companies," passed the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided,* That whenever, by the report of viewers, damages have been assessed, the president of the said company may tender to the owner or owners of the land, the amount of the damages so assessed in full satisfaction thereof, or a bond with such security, and of such amount, as shall be approved of by one of the judges of the court of common pleas, of the county wherein the damages have been, or may be assessed, conditioned for the payment of such sum or sums of money by the company, as shall be finally assessed or agreed; and upon such tender of money or security, it shall be lawful for the company forthwith, to enter upon such land or lands, and to make and construct their road and works, and use and take away materials for the construction and repair of the same, as fully, and in the same manner, and with the same effect, as if the said assessment had been finally adjudicated, paid and settled: *Provided,* That at least five days' notice shall first be given to the owner of such lands, or their known agents or attorney, of the time and place of offering such security for approval, and the names of the sureties to be offered.

SECTION 2. That the president and managers of the said company are hereby authorized and empowered to exercise all the powers conveyed, by the sixth section of the said last mentioned

Damages how  
ascertained.

Provided

Provided

Subject to provi-  
sions of certain  
act

act, to the president and directors of a company incorporated under the provisions of that act, subject to all the restrictions contained in said section, except that four shall constitute a quorum; and that all provisions of existing laws, inconsistent with this act, are hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 648.

## A N A C T

To protect certain domestic and private Rights, and prevent abuses in the Sale and Use of Intoxicating Drinks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That wilfully furnishing intoxicating drinks by sale, gift or otherwise to any person of known intemperate habits, to a minor, or to an insane person for use as a beverage shall be held and deemed a misdemeanor, and upon conviction thereof the offender shall be fined not less than ten nor more than fifty dollars, and undergo an imprisonment of not less than ten nor more than sixty days, and the wilful furnishing of intoxicating drinks as a beverage to any person when drunk or intoxicated shall be deemed a misdemeanor, punishable as aforesaid.

Penalty for furnishing intoxicating drinks to persons of intemperate habits, &c.

SECTION 2. That it shall be lawful for any member of the family, or blood relation of an intemperate person, or any overseer of the poor, or any magistrate of the district in which such intemperate person resides, or has legal settlement, or the committee of a habitual drunkard, to give a distinct notice, verbal or written, to any inn-keeper, merchant, grocer, distiller, brewer or other person manufacturing, selling or having intoxicating liquors, forbidding him or them from furnishing such intemperate person or habitual drunkard with intoxicating drinks or liquors, and if, within three months after such notice, any one to whom the same is given shall furnish or cause to be furnished intoxicating liquors to such intemperate person or habitual drunkard to be used as a beverage, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in the first section of this act.

Who may give notice to inn-keepers, merchants, &c.

SECTION 3. That any person furnishing intoxicating drinks to any other person in violation of any existing law, or of the provisions of this acts, shall be held civilly responsible for any injury.

Civil responsibility for injuries to person or property.



jury to person or property in consequence of such furnishing, and any one aggrieved may recover full damages against such person so furnishing by action on the case, instituted in any court having jurisdiction of such form of action in this Commonwealth.

Penalty for performing marriage ceremony when the parties are intoxicated.

SECTION 4. That any judge, justice or clergyman who shall perform the marriage ceremony between parties when either of said parties is intoxicated shall be deemed guilty of a misdemeanor, and upon a conviction thereof shall pay a fine of fifty dollars, and be imprisoned at the discretion of the court not exceeding sixty days.

Penalty for adulteration of liquors.

SECTION 5. That any wilful adulteration and corruption of spirituous, vinous or malt liquors manufactured or intended as a beverage, whereby the same are rendered essentially unwholesome, noxious and injurious to health, or any sale of such liquors for use as a beverage, with knowledge that the same is so adulterated and corrupted, shall subject the offender for a first offence to a fine of fifty dollars, and for a second and subsequent offence to a fine of one hundred dollars, and imprisonment not exceeding sixty days.

Compensation to prosecutor.

SECTION 6. Any person prosecuting for an offence indictable under this act shall, upon conviction of the offender, receive such reasonable sum for expenses, services and time expended as may be directed by the court not exceeding twenty dollars, to be taxed and paid as a part of the costs in the cause, such allowance to be exclusive of compensation to such prosecutor as a witness under existing laws: *Provided*, That such allowance shall not be made in more than one case at the same term to one person.

Proviso.

No action to be maintained for the recovery of liquors sold.

SECTION 7. That no action shall be maintained or recovery had in any case for the value of liquors sold in violation of this or any other act, and defence may be taken in any case against such recovery without special plea or notice.

Revocation of licenses.

SECTION 8. That it shall be lawful for the courts of quarter sessions to revoke any licenses they may have granted or that may have been granted under the general law regulating licenses in the city and county of Philadelphia, for the sale of liquors whenever the party holding a license shall be proved to have violated any law of this Commonwealth, relating to the sale of liquors, or whenever the premises of such party shall become the resort of idle and disorderly persons so as to disturb the general peace of the neighborhood, upon notice given to the person so licensed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 649.

## SUPPLEMENT

To the act passed the twenty-fourth day of February, one thousand eight hundred and fifty-three, relative to the Tunkhannock borough School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farms of of Jacob L. Jayne, John Ace and the farm lately belonging to H. G. Hammond be excluded from said Tunkhannock borough school district, and re-attached to Tunkhannock township school district, and that the directors of said borough school district have the power to exonerate the taxes levied on said property, for the purpose of building a school house.

Certain farms  
excluded from  
Tunkhannock  
school district.

SECTION 2. That the act enlarging said Tunkhannock borough school district shall be so construed as to include the farms of Perry and Porter Marcey, James Kelly, Miner Kelly, Mary Wall, Charles W. Kelly and P. W. Redfield, O. B. Hilliard, Cyrus Avery and land belonging to Mrs. S. T. Nicholson, they being all within the limits of said school district; and that the school directors of said district shall have the right to apply all monies said district may be entitled to from the State appropriation for the school year of one thousand eight hundred and fifty-four, and so much taxes as they may find necessary to levy on said district, for the purpose of finishing the school houses of said district, and paying for the lot and paying any balance that may be due the contractor for the erection of said school house, after applying the funds raised by taxes for one thousand eight hundred and fifty-three; and said directors are not to be required to raise any money by taxes for the support of public schools in said district for the year one thousand eight hundred and fifty-four; said directors to be governed in all other things by the general school law, in relation to the management of schools, collecting of taxes now assessed and levied, and those to be assessed or levied for the year one thousand eight hundred and fifty-four.

Construction of  
act.

SECTION 3. That all voters included within the bounds of said district shall be eligible to the office of school directors, and shall have the right to vote therefor.

Eligibility to  
office.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 650.

## A SUPPLEMENT

To the act incorporating the West Branch Boom Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the seventh section of the act entitled "An Act for the erection of a boom in the Susquehanna river, at or near the borough of Lock Haven, Clinton county," approved the twenty-ninth day of March, Anno Domini, one thousand eight hundred and forty-nine, be so construed as that it shall be the duty of all persons desirous of driving logs below said boom, to give the notice required by said seventh section, otherwise the same may be stopped in said boom, notwithstanding the proviso in said section.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 651.

## AN ACT

To authorize Joseph Light executor of Joseph Orth, deceased, to sell a certain due-bill.

WHEREAS, The estate of Joseph Orth late of Lebanon county, deceased, is distributed according to the provisions of his last will and testament, except a certain due-bill or certificate of indebtedness from the president and managers of the Downings-town, Ephrata and Harrisburg turnpike road company, dated June ninth, one thousand eight hundred and thirty-four, for eight hundred and twenty dollars and forty-four cents with interest, upon which the sum of eighty-nine dollars and forty-seven cents has been paid:

*And whereas,* The affairs of the said company are under charge of A. K. Fahnestock as sequestrator, in pursuance of certain proceedings in the common pleas of Dauphin county:



*And whereas, The profits of said turnpike will manifestly not liquidate its debts for many years; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Joseph Light executor of the last will and testament of the said Joseph Orth, deceased, be and he is hereby authorized under the direction of the orphan's court of Lebanon county, to sell the said due-bill or certificate of indebtedness at public sale, and account for the proceeds thereof according to law.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 652.

## A FURTHER SUPPLEMENT

To an act incorporating the North Branch Coal and Iron Company, approved March twenty-fifth, one thousand eight hundred and forty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the North Branch coal and iron company shall have power to construct railroads, with one or more tracks, from any point or points on their road, to connect with the Catawissa, Williamsport and Erie railroad company, and the Lehigh coal and navigation company, at such point or points as they may deem proper.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 653.

## A N A C T

To annul the Marriage Contract of James M. Pentland and Sarah, his wife, late Sarah Wolf, of Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into by and between James M. Pentland and Sarah, his wife, late Sarah Wolf, both of the county of Beaver, be and the same is hereby annulled and declared void, and the parties released and discharged from all duties and obligations arising therefrom, as fully, effectually and absolutely as if they never had been joined in marriage.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 654.

## A S U P P L E M E N T

To an act incorporating the Aramingo Avenue and Plank Road Company, approved April twenty-third, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road mentioned in said act, shall not be laid out and made over and through the lands of Isabella L. Crawford, nearer than three hundred yards of any of the limestone quarries now opened and worked on her said premises.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 655.

## AN ACT

To widen Noble street from Front street to Washington avenue, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the incorporated district of the Northern Liberties in the county of Philadelphia, shall have power and authority to widen Noble street on the north side thereof, between Front street and Washington avenue, to any width not exceeding one hundred feet: Provided, That no portion of the expense if any incurred by the widening and opening of said Noble street as aforesaid, shall be paid from the Treasury of the county of Philadelphia: Provided, That two-thirds of the whole number of said commissioners shall consent thereto.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 656.

## A SUPPLEMENT

To an act entitled "An Act for the establishment of the Pennsylvania Female College at Harrisburg," passed the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporate name, style and title of the college erected and established by the act approved the eighteenth of April, one thousand eight hundred and fifty-three, entitled as above recited, shall be the Pennsylvania female college at Harrisburg, and no misnomer of the said corporation shall defeat or annul any gift,*



grant or devise thereto, if the intent of the parties shall sufficiently be made to appear.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 657.

## AN ACT

Relative to the Weccacoe and other Fire Companies, in the city of Philadelphia

Company may  
collect debts, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Weccacoe hose company, of the district of Southwark, in the county of Philadelphia, and of any other fire company, whether corporate or incorporate, in the city and county of Philadelphia, which may have been or shall be put out of service, or disbanded by the court of quarter sessions of the peace of the city and county of Philadelphia, to collect all outstanding debts, claims and demands, and also for any such companies or for any fire company not put out of service, to sell and convey to any purchaser all or any part of their estate, real and personal, free and discharged of all trusts, and the proceeds and effects to dispose of, and apply to such use and object as a majority of the members of such company shall agree: *Provided,* That all shall equally participate in such use so far as the same shall not have been parted with to the use of others.

Provided,

Court of Quarter  
Sessions may re-  
store powers to  
companies put out  
of service.

SECTION 2. That the court of quarter sessions of the peace, of the city and county of Philadelphia, shall have power and authority upon petition presented to them, signed by at least one hundred qualified voters of the same ward, of said city, when satisfied from a review of the facts, or that the public welfare will be promoted thereby, to restore the corporate powers and privileges of any disbanded company as fully to all intents and purposes, as if such company had never been disbanded by the said court.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 658.

## A SUPPLEMENT

To an act, entitled "An act relative to the Danville Railroad Company; to authorize the erection of a Lock-up House in Coal township, Northumberland county, et cetera, et cetera," approved April eighteenth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of the act, entitled "An act relative to the Danville railroad company, et cetera, et cetera," approved April eighteenth, one thousand eight hundred and fifty-three, as is construed to confine the operations of the said company to the south side of the Susquehanna, is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 659.

## AN ACT

To authorize the School Directors of Chester and Delaware counties to select Sites for School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the board of directors of any school district in Chester and Delaware counties, shall be unable to procure such eligible points for the erection of school houses thereon as they may deem expedient, by agreement with the owner or owners of the land, it shall and may be lawful for the board of directors, in behalf of the district, to enter upon and occupy sufficient ground for the purpose, which they shall designate and mark off, not exceeding in any case one acre, and to use and occupy the same for the purposes of a school house, with its necessary or convenient appurtenances, and for all damage done and suffered, or which shall accrue to the owner or owners of such land by reason of the taking of the same for the purposes aforesaid, the funds of the district which may be raised by taxation, shall be pledged and deemed as security, and it shall and may be lawful for the court

of common pleas of the said county on application thereto by petition, either by the said school district through the president and secretary of the board of directors, or by the owner or owners of said land or any one of them in behalf of all, to appoint a jury of viewers, consisting of three discreet and disinterested citizens of said county, who shall not be the owners of property or residents in the school district in which such land is taken as aforesaid, and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet upon said land, of which time and place ten days' notice shall be given by the petitioners to the said viewers and the other party, and the said viewers or any two of them, having been first duly sworn or affirmed faithfully, justly and impartially to decide and a true report to make, concerning all matters and things to be submitted to them, and having viewed the premises, they shall establish and determine the quantity and value of said land so taken to be used for the purposes aforesaid, and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any and if any what amount of damages has been or may be sustained and to whom payable, and make report thereof to the said court, and if damages be awarded and the report be confirmed by the said court, which shall be final, judgment shall be entered thereon, and if the amount thereof be not paid within thirty days after the entry of such judgment, execution to enforce the collection thereof may be issued as in other cases of judgment against school districts, and each viewer shall be entitled to one dollar and fifty cents per day for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such school district.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 660.

## AN ACT

Relating to Billiard Rooms, Bowling Saloons or Ten Pin Alleys, in and near the Borough of Saltsburg, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That no person or persons shall keep any billiard room, bowling saloon*



or ten pin alley within the borough of Saltsburg, Indiana county, or within a mile of said borough, and it shall not be lawful for the treasurer of the said county of Indiana, to grant a license to any person or persons within said borough or limits for such purpose; any person or persons keeping such billiard room, bowling saloon or ten pin alley within said borough or limits, shall on conviction thereof in the court of quarter session of the said county of Indiana, be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or imprisonment in the county jail for any period not exceeding one month and costs of prosecution.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 661.

## AN ACT

For the relief of Gideon Leisenring.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners be and they are hereby authorized to examine the account of Gideon Leisenring, of Union county, for work done and materials furnished at Shamokin schute, on the Susquehanna river, in the year one thousand eight hundred and fifty-two, and if on such examination the board shall find that there is any thing due said Leisenring, they shall assess the amount, if any, and make report of the same to the Legislature; and that the State Treasurer be and he is hereby authorized to pay out of any moneys in the treasury, not otherwise appropriated, such sum as be reported by the Canal Commissioners to be due the said Leisenring.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 662.

## AN ACT

To authorize the Courts to alter Charters in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where charters of incorporation have been granted by the Legislature, for a purpose where authority to grant charters is or may be vested in the courts, it shall be lawful for such courts to alter, amend, and improve the same upon like proceedings, and with like effect, as if the original charter had been granted by the court.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 663.

## AN ACT

To authorize Edward Wetherill, surviving Trustee of Susan W. Cushman, to re-convey certain property.

WHEREAS, Susan Wetherill, of the county of Philadelphia and State of Pennsylvania, in contemplation of a marriage then shortly to be had and solemnized between the said Susan Wetherill and George W. Cushman, did, by indenture bearing date the twenty-fourth day of October, one thousand eight hundred and forty-nine, and recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book G. W. C., number forty-nine, page two hundred and sixty-two, et cetera, grant and convey all her real and personal estate to David Cooke, then of the county of Montgomery and State aforesaid, and Edward Wetherill, then of the city of New York, now of the county of Philadelphia, and to their heirs, executors, administrators and assigns, forever, in trust, as therein mentioned:

*And whereas,* The said David Cooke has since departed this life, and the said Susan, now Susan W. Cushman, desires that she may hold her said real and personal estate, conveyed by

her as aforesaid, as freely, fully and effectually as she did before the said deed of trust was executed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Wetherill, surviving trustee of Susan Wetherill, now Susan W. Cushman, be and he is hereby authorized and empowered to re-convey to the said Susan W. Cushman, her heirs and assigns, all the estate, real and personal, conveyed by the said Susan to the said David Cooke and Edward Wetherill, in trust, by a certain indenture bearing date the twenty-fourth day of October, Anno Domini one thousand eight hundred and forty-nine, and recorded in the office for recording deeds, et cetera, for the city and county of Philadelphia, in deed book G. W. C., number forty-nine, page two hundred and sixty-two, &c., and now held in trust, by virtue thereof fully and absolutely discharged from the trusts, limitations, uses, purposes and conditions of the aforesaid deed or indenture, so that the said Susan W. Cushman may hold the same to herself, free, clear, and discharged from the trusts, limitations, uses, purposes and conditions therein expressed and set forth, and as though the said deed or indenture of trust had never been made.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 664.

## AN ACT

To change the time of holding the several Courts of Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the terms of the several courts of Lehigh county, in the third judicial district of this Commonwealth, shall commence on the first Monday of January, April, August and November, in each and every year, and shall continue two weeks, if necessary: *Provided*, That the first term of said courts, held under the provisions of this act, shall commence on the first Monday of November, one thousand eight hundred and fifty-four: *And provided further*, That all business, whatsoever, in any of the said courts, held at the times mentioned in this act, shall be proceeded in, heard and determined,



as if the said courts had been held at the times heretofore prescribed by law.

SECTION 2. Nothing in this act contained shall be construed in any manner to affect the term or terms of said courts which precede said first Monday of November, one thousand eight hundred and fifty-four.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 665.

## A SUPPLEMENT

To an act, entitled "An act to incorporate the New Castle and New Wilmington Plank Road Company," approved the eleventh day of April, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any defect or irregularity in the proceedings of the commissioners appointed by the act, entitled "An act to incorporate the New Castle and New Wilmington plank road company," approved the eleventh day of April, one thousand eight hundred and forty-eight, in taking subscriptions to, and in organizing the said company, and any defect or irregularity in the proceedings of the board of managers, in organizing and conducting the affairs of the same, so far as the said defect or irregularity of the said commissioners, or board of managers, may have proceeded from the neglect or omission of the said commissioners, or board of managers, fully to comply with the requisitions of the first section of the said act, and the proviso thereto, shall be and the same are hereby remedied and supplied; and the acts and proceedings of the said commissioners, and the subscriptions taken by them, and the acts and proceedings of the said board of managers, which were not in accordance with the requisitions of the said section and proviso, shall be and are hereby declared valid and legal, as if the same had been fully complied with.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 666.

## AN ACT

Authorizing the laying out of a State Road in Luzerne and Wyoming counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alfred Hine and Ruel Labar, of Wyoming county, and Thomas Smith, Andrew Bedford and John Stone, of Luzerne county, be and they are hereby appointed commissioners to view, lay out and mark a State road, beginning at or near the bridge across the Tunkhannock creek, opposite the residence of Porter Marcy, in Wyoming county, thence by the nearest and most practicable route to Abington Centre, in Luzerne county; and it shall be the duty of the said commissioners to meet on or before the first Monday of June next, and after having made oath before some officer authorized to administer the same, faithfully and honestly to discharge the duties enjoined upon them by this act, proceed to view the ground over which the proposed road is to pass, and lay out the said road upon the best and most practicable route, having regard to public accommodation, the damage to private property and the nature of the ground, so that a good and easy road may be made.

Commissioners

Route.

SECTION 2. That the commissioners herein named shall carefully and plainly mark the route agreed upon, and survey the same, and on or before the first day of January next, make out two drafts of said road as located, whereon shall be noted the courses and distances, the crossings of county and township lines, and the crossings of streams, one of which shall be forwarded by mail to the Secretary of the Commonwealth, to be filed in his office as a matter of record, and one to be filed in the office of the clerk of the court of quarter sessions of the respective counties through which the road may pass; and from the time of such filing as last stated, the said road shall be to all intents and purposes a public highway, and shall be opened and repaired as hereinafter provided.

Duties of commissioners

SECTION 3. That the commissioners herein named shall receive a per diem allowance of two dollars for each day they shall be necessarily employed in performing the duties under this act, and they are authorized to employ two chain-carriers and one axeman at one dollar and twenty-five cents per day, their accounts for which service shall be adjusted by the county commissioners of the county through which the road may pass, and paid out of the treasuries of the same according to the time actually spent in fulfilling the requirements of this act, within the respective counties; and the said commissioners performing the duties of surveyor shall receive an additional compensation of one dollar per day.

Compensation

SECTION 4. That it shall be the duty of the supervisors or pathmasters of the several townships through which the road authorized to be laid out by the foregoing sections of this act shall pass, upon notice given in writing by any person interested

Duties of pathmasters and supervisors

in the use of the proposed road, to proceed without delay to the opening and construction of the said road to the extent of the means at their command, under existing laws of the Commonwealth, and on failing to comply, the said supervisors or pathmasters shall be subject to all the penalties and forfeitures under existing laws for a disregard of duty in the making and repairing of public highways.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 667.

## A N A C T

Relative to the duties of Aldermen and Justices of the Peace.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of July next, the aldermen and the justices of the peace of the several counties of this Commonwealth, shall be required to return to the clerk of the court of quarter sessions of the peace of the respective counties, all the recognizances entered into before them by any person or persons charged with the commission of any crime, excepting such cases as may be ended before an alderman or a justice of the peace under existing laws, at least ten days before the commencement of the session of the court to which they are made returnable respectively ; and in all cases where any recognizances are entered into less than ten days before the commencement of the session to which they are made returnable, the said aldermen and justices are required to return the same, in the same manner as if this act had not been passed.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 668.

## AN ACT

Relative to the Court of Common Pleas, of Philadelphia County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of the county of Philadelphia, shall have original and concurrent jurisdiction with the district court of the city and county of Philadelphia, in all cases where the sum does not exceed five hundred dollars, and the said district court shall have concurrent jurisdiction with said court of common pleas, in all equity cases.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 669.

## AN ACT

Supplementary to an act entitled "An Act to incorporate the Doylestown and Lumberton Turnpike and Plank Road Company; relative to the Quakertown and Sellersville Turnpike Road Company," passed the fourteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Hilltown and Sellersville turnpike road company be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding one thousand dollars, which they may deem necessary, at any rate of interest, not exceeding six per centum per annum, for the completion of said road and the payment of the debts of the company; and it shall and may be lawful for the president and managers of said turnpike road company, to secure the money

so borrowed, and to provide for the payment of the same, by pledging all the real estate, toll and revenues of said turnpike road company by mortgage or otherwise.

SECTION 2. That when said company shall have made and completed two miles of their said road, they shall have power to collect and receive toll on the same.

SECTION 3. That the stockholders of said company shall hold their annual meeting and election on the first Saturday of November, in every year, for the purpose of choosing officers of said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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670.

## A N A C T

Relative to the North Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the North Pennsylvania railroad company are hereby authorized and empowered in addition to the rights and privileges heretofore granted, to purchase, hold and use for the purposes authorized by their charter, any quantity of land not exceeding thirty acres, in the State of New York, with the consent of that State, upon the line of the New York and Erie railroad, at such point or near the north line of Bradford county, as may be deemed most convenient and advantageous to form a connection with said New York and Erie railroad.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one eight thousand hundred and fifty-four.

WM. BIGLER.

No. 671.

## AN ACT

For the relief of certain heirs of Conrad Weiser deceased.

WHEREAS, Thomas Penn and Richard Penn by patent bearing date the seventh day of July, one thousand seven hundred and fifty-five, granted and confirmed unto Conrad Weiser, in consideration of his services as Indian interpreter, a certain tract of land situate on the north-east side of the Susquehanna river, in Berks, now Northumberland county, containing three hundred and five acres and thirty-six perches and allowance, and also an island in the said Susquehanna river, opposite to the said tract of land, containing fifty-five acres and one hundred and forty-one perches and allowance; which said land was subsequently discovered to be north of and beyond the limits of the land then purchased from the indians, and belonging to said Thomas and John Penn, and the title granted to the said Conrad Weiser as aforesaid, has been decided by the Supreme court of this Commonwealth to be invalid:

*And whereas,* The heirs of said Conrad Weiser after his decease, entered into a deed of partition by which his title to the said land and island above described, was vested in one of his sons Frederick Weiser from whom it descended, and vested in Peter Weiser a son of said Frederick, from whom it was recovered by adverse claimants, thereby throwing the whole loss of said property upon the said Peter Weiser and his heirs; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John B. Packer of Northumberland county, be and he is hereby appointed a commissioner to enquire into the facts of the case, and report to the Legislature the amount which may be justly and equitably due to the heirs of the said Peter Weiser, deceased, from the commonwealth, as an indemnification for the losses sustained by them, by reason of the failure of the title aforesaid.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 672.

## A FURTHER SUPPLEMENT

To an act regulating Turnpike and Plank Road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* if at any regular election for officers of any turnpike or plank road company, there should not be a majority of the votes of the stockholders, the persons receiving a majority of the votes polled at such election, shall be deemed and considered as duly elected officers for the ensuing year.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 673.

## A FURTHER SUPPLEMENT

To the act regulating Turnpike and Plank Road Companies, passed January twenty-sixth, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* lumber, stone and other materials purchased by and delivered to any turnpike or plank road company, and intended and appropriated to the construction or repair of the road of such company, shall not, hereafter, be liable to levy and sale upon any writ in the nature of an execution issued against such company, but shall be liable upon a proceeding of sequestration to such control and disposition as provided by law, in the case of real estate and other property of a corporation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 674.

## A N A C T.

An Act authorizing the sale of a certain School House in Washington township.  
York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Myers and Philip Kimmell, of Washington township, York county, are hereby authorized and directed to sell, at public sale, by giving ten days public notice, a certain school house in said township, known as Pressel school house, and the furniture belonging thereto, such as stove and pipe, desks and benches, and the amount arising therefrom, after deducting reasonable expenses for the selling of the same, to be appropriated to the payment of the just and legal claims against said school house, for repairs, and the balance, if any, to be paid into the school fund of said township of Washington, for school purposes.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 675

## A N A C T

Supplementary to an act entitled "An Act to authorize the Governor to incorporate a company for erecting a Bridge and Railroad over the river Susquehanna, at or near the mouth of the Shickshinney creek, in the county of Luzerne," approved the second of April, Anno Domini, one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to which this is a supplement, be and the same is hereby revived, and that the said act shall henceforth have all the force and effect (except as hereinafter provided) which it had when passed, and that the commissioners, herein after named, shall have and possess all the powers, rights and privileges, and shall

Act revived.

be subject to all the duties and restrictions, except so far as the said powers, rights and privileges, and the said duties and restrictions are hereinafter modified, which the commissioners, named in the same act to which this is a supplement, had and passed and were subject to.

Commissioners.

SECTION 2. That Eli K. Price and Henry C. Carey, of the city of Philadelphia, and George W. Woodward, George M. Hollenback, Ziba Bennett, Hendrick B. Wright, Oliver B. Hillard, Jonathan J. Slocum, George W. Search, Isaac Wood, Washington Lee, junior, Stewart Pearce and Charles B. Drake, of the county of Luzerne, be and they are hereby appointed commissioners to carry into effect the provisions of the act to which this is a supplement, and of this act in lieu of the commissioners named in the first section of said act to which this is a supplement.

Repeal of proviso

SECTION 3. That the proviso in the tenth section of the said act, to which this is a supplement, be and the same is hereby repealed, and that the property to be held by the corporation, independent of the bridge and railroad, provided by said act to be erected, shall not exceed three hundred thousand dollars.

Authority to borrow money.

SECTION 4. That said corporation shall be and they are hereby authorized to borrow money, to an amount not exceeding two hundred thousand dollars, upon bonds to be issued by said corporation, secured by mortgage upon so much of the corporate property as shall be deemed adequate for the purpose of security whenever the president and managers shall deem the issue of such bonds to be expedient: *Provided, however,* That said bonds shall bear interest at a rate not exceeding seven per centum per annum, and that said bonds shall be convertible into stock of said corporation at the option of the holder or holders of said bonds: *And provided also,* That the whole amount of stock subscribed and of bonds issued, shall not exceed the amount hereinbefore limited of the capital stock of said corporation.

Proviso

Proviso.

Authority to extend road.

SECTION 5. That the said company may extend the railroad, authorized to be built by their act of incorporation, to any length not exceeding ten miles, and construct branches thereof not exceeding three miles in length, in any case, and connect their said road and its branches with any other railroad or public improvement; the construction of such road and branches to be under all the applicable provisions of the act regulating railroad companies, approved nineteenth of February, one thousand eight hundred and forty-nine, not inconsistent with this act and the act to which this is a supplement.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 676.

## A N A C T

To confer on Ben Lees the name of Ben Lees Byram, and all the rights and privileges of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Ben Lees, of the city of Philadelphia, be and the same is hereby changed to Ben Lees Byram, by which name he shall hereafter be able and capable in law, to hold all property and rights of property, to which he has been or may hereafter be in any manner entitled.

SECTION 2. That the said Ben Lees of the city of Philadelphia, the son of Sam Byram and Esther his wife, shall have and enjoy all the rights, benefits and advantages of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely to all intents and purposes, as if he had been born in lawful wedlock.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 677.

## A N A C T

Relative to the payment of Witnesses' Fees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the witnesses' fees contained in any bill of costs, filed in any civil suit or criminal prosecution, shall not be assignable by the prosecutor, plaintiff, or defendant therein; and it shall not be lawful for the prothonotary, clerk, sheriff, district attorney, or any other officer of the court to whom any costs may be paid or given, in any such suit or prosecution, to pay the witnesses' fees therein contained, to any other person or persons but the witnesses' themselves, unless he or they shall produce a written

order for the same, signed by the witnesses: *Provided however*, That if the prosecutor, plaintiff, or defendant or attorney, shall have paid any of the witnesses, he shall, on filing an affidavit of that fact, be entitled to lift such witnesses' fees, or as much thereof as he shall have paid: *And provided*, That this act shall only apply to the county of Armstrong.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 678.

## AN ACT

Relative to Mercantile Taxes and the notice to be given by County Treasurers and Appraisers.

Repeal

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the sixth section of the act of twenty-fourth day of March, one thousand eight hundred and twenty-four, which directs the treasurers of the several cities and counties within this Commonwealth to publish annually, in the month of November, in two newspapers in the several cities, and one in each county where a newspaper is published, a list of the names of all persons returned to him as retailers of foreign merchandize, be and the same is hereby repealed.

Repeal

SECTION 2. That so much of the resolution of the eighteenth day of March, one thousand eight hundred and forty, as directs the treasurer of the city or county of Philadelphia to publish a list of the names of the retailers of foreign merchandize in at least three daily newspapers, in the month of April, is hereby repealed; and hereafter, the publication of such list shall be once a week, for four weeks, in three newspapers published in the month of April or May, annually; and such treasurer shall be allowed, in the settlement of his account with the Auditor General, for such publication, at the rate of ten dollars for every hundred names, with the business designated; and the same allowance of ten dollars to each paper, for every hundred names, shall be made for publishing the list of mercantile appraisers, in

Publication of  
lists in the city  
and county of  
Philadelphia.

the several counties of the Commonwealth in which the mercantile appraisers are authorized to publish, as now directed by law.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 679.

## A FURTHER SUPPLEMENT

To an act entitled "An act authorizing the Governor to incorporate the Mahoning, Kittanning and Freeport Turnpike Road Company, and for other purposes," approved the second day of April, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the owner or owners of any land necessary for the purpose of erecting and completing, by the Kittanning bridge company, a bridge over the Allegheny river at Market street, in the borough of Kittanning, in the county of Armstrong, and making the necessary abutments, works and causeways to and from said bridge, either in the borough of Kittanning or on the west side of said river in Franklin township, in said county, shall neglect or refuse for the space of ten days, to appoint a viewer as directed and provided in the forty-first section of the said act to which this is a supplement, to act in conjunction with viewers heretofore appointed, or which may hereafter be appointed by the court of quarter sessions of Armstrong county, after having been called upon and requested by the Kittanning bridge company so to do, or in case the viewers appointed by the owners of said land shall neglect or refuse to perform the duties enjoined and required under the forty-first section of said act, or in case the viewers appointed by the court, and the viewers appointed by the owners of said land cannot agree, then in case of such neglect or refusal on the part of the owner of said land or of the viewers appointed by him, the two viewers appointed by the court or a majority of said viewers, when the whole number of viewers cannot agree, shall proceed to view and examine said land and make report to the next term of said court succeeding the time of their appointment, according to the provisions of the forty-first section of the said act to which this is a supplement, which said view, valuation and appraisement so made shall be as good and valid in law as if the whole of the three viewers had been



appointed and viewed said land, and made an appraisement thereof and returned the same to the said court, and the said appraisement so far as aforesaid made, having been confirmed by the court, and the said Kittanning bridge company having paid to the owner or owners respectively, the said sums awarded to be paid to them, together with the cost of the appraisement, the said corporation shall be entitled to have and to hold to them and their successors and assigns, the said lands as fully and for the same estate as if they had been granted by their respective owners to the said corporation in fee simple.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 680.

## A N. A C T

To provide for the ordinary expenses of Government, the repairs of the Public Canals and Railroads, and other general and special appropriations.

Appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, one thousand eight hundred and fifty-four, to be paid out of any money in the treasury not otherwise appropriated.

Executive Department.

SECTION 2. For the salary of the Governor of the Commonwealth, three thousand dollars: for the salary of the Secretary of the Commonwealth, twelve hundred dollars, and the further sum of five hundred dollars to be paid to him as Superintendent of Common Schools: for the salary of the Deputy Secretary of the Commonwealth, twelve hundred dollars: for the salary of the Auditor General, including his compensation as Commissioner of the Sinking Fund, seventeen hundred dollars: for the salary of the Surveyor General, fourteen hundred dollars: for the salary of the Attorney General, three hundred dollars: for the salary of the Adjutant General, three hundred dollars: for the salary of the State Treasurer, including his compensation as Commissioner of the Sinking Fund, seventeen hundred dollars: for clerk hire in the State Department, four thousand dollars: for clerk hire in the Auditor General's office, six thousand two hundred dollars: for clerk hire in the State Treasurer's office, four thousand dollars: for clerk hire in the Surveyor

General's office, five thousand seven hundred dollars, and the additional sum of three hundred dollars for an extra clerk for six months, from the first day of February last: for the salary of the State Librarian, eight hundred dollars: for the salary of the clerk of the Commissioners of the Sinking Fund, two hundred dollars.

SECTION 3. For the payment of the contingent expenses of the Executive, State and School departments, to wit: for stationery, five hundred and fifty dollars: for postage, including telegraphic despatches, eighteen hundred dollars: for the payment of messengers, nine hundred and fifty dollars: for fuel and light, sixty dollars: for cleaning offices and executive chambers, thirty-five dollars: for blank books, fifty dollars: for miscellaneous expenses in the Secretary's office, fifty dollars: for painting, white-washing, alterations and repairs in the State department, two hundred and fifty dollars.

Contingent expenses of Executive and State Departments.

SECTION 4. For the payment of contingent expenses of the Auditor General's office, to wit: for postage, five hundred dollars: for the pay of messenger, four hundred dollars: for stationery, three hundred dollars: for fuel, sixty-five dollars: for miscellaneous expenses, sixty-five dollars.

Auditor General's Office.

SECTION 5. For payment of the contingent expenses of the State Treasurer's office, to wit: for postage, three hundred and fifty dollars; for the payment of telegraphic despatches, one hundred and twenty-five dollars; for stationery and blank books, three hundred and fifty dollars; for fuel and lights seventy-five dollars; for miscellaneous expenses, one hundred dollars; for messenger and night watch, five hundred and fifty dollars.

Treasury Department.

SECTION 6. For the payment of the contingent expenses of the Surveyor General's office, to wit: for the pay of messenger, four hundred dollars; for postage, four hundred and fifty dollars; for stationery, blank books, et cetera, three hundred dollars; for fuel, seventy-five dollars; for repairs, fifty dollars; for washing and scrubbing, thirty-seven dollars; for miscellaneous expenses, sixty dollars.

Surveyor General's Office.

SECTION 7. For the payment of the expenses of the Legislature, including the pay of members, clerks, officers, and contingent expenses, one hundred thousand dollars; and that so much of the tenth section of an act passed the seventeenth day of April, eighteen hundred and forty-three, entitled "An act to reduce the expenses of government," as relates to the pay of members of the Legislature when the session continues over one hundred days, be and the same is hereby repealed: And that the sergeant-at-arms, doorkeepers and messengers, of the two Houses, and their assistants, be allowed the sum of fifty dollars each, as extra compensation for services during the session.

Legislature.

SECTION 8. That from and after the expiration of the term of the present executive, the salary of the Governor shall be three thousand five hundred dollars per annum.

Salary of Governor increased.

SECTION 9. That the pay of the superintendent and watchman of public buildings shall be two dollars per day, the accounts for which to be settled in the usual manner.

Pay of superintendent and watchman of public buildings.

SECTION 10. For the public printing, folding, stitching and binding, twenty-five thousand dollars.

Printing.

SECTION 11. For packing and distributing the laws and journals of the Legislature, seven hundred dollars; the packing and distributing the said laws and journals to be performed under the direction of the Secretary of the Commonwealth.

Distribution of laws.



Miscellaneous.

SECTION 12. For miscellaneous expenses, three thousand dollars, to be accounted for in the usual manner.

Supplying water and gas to public buildings

SECTION 13. For the payment to the borough of Harrisburg, for supplying the public buildings with water, as per act of the twenty-eighth day of April, one thousand eight hundred and forty, six hundred dollars; for the payment of Gas, furnished for the public buildings and walks by the Harrisburg Gas company, the sum of one thousand eight hundred dollars, or so much thereof as may be necessary for that purpose, to be paid on the warrant of the Governor, under contract with said company, in pursuance of the act incorporating said company, and the supplements thereto.

Common schools.

SECTION 14. For the support of the common schools, two hundred and thirty thousand dollars, as provided by an act passed at the present session, to be paid on warrants drawn by the Superintendent of Common Schools, in favor of the accepting school districts of the Commonwealth, in proportion to the number of taxable inhabitants in each, after deducting clerk hire and necessary contingent expenses of the school department, to be accounted for in the usual way.

Pensions.

SECTION 15. For the payment of pensions and gratuities, fifteen thousand dollars.

Judiciary.

SECTION 16. For the payment of the expenses of the judiciary, to wit: for the salary of the chief justice of the Supreme Court, two thousand two hundred dollars; for the salaries of each of the associate judges of said court, two thousand dollars; and the salaries of the said chief justice and judges shall be the said amounts per annum, from the first day of June next; and their salaries and the salaries of other judges learned in the law for the current appropriation year, shall be respectively the amounts appropriated by the fourteenth section of the general appropriation act of nineteenth of April, Anno Domini, one thousand eight hundred and fifty-three.

For the daily pay of the judges of the Supreme Court five thousand dollars: *Provided*, That after the first day of June next the said judges shall receive a per diem allowance for the time necessarily employed in traveling, and in the performance of their judicial duties, and not otherwise.

For the payment of the salaries of the president and two associate judges of the first judicial district, seven thousand five hundred dollars.

For the payment of the salaries of the president and the two associate judges of the district court of the city and county of Philadelphia, seven thousand five hundred dollars.

For the salary of the president judge of the second judicial district, for the county of Lancaster, sixteen hundred dollars; and the law associate of the same district, sixteen hundred dollars.

For the salary of the president judge of the third judicial district, composed of the counties of Northampton and Lehigh, sixteen hundred dollars.

For the salary of the president judge of the fourth judicial district, composed of the counties of Tioga, Potter, M'Kean and Elk, sixteen hundred dollars.

For the salary of the president judge of the fifth judicial district, for the county of Allegheny, two thousand two hundred dollars.

For the salaries of the president judge and assistant judge of



the district court of the county of Allegheny, four thousand four hundred dollars.

For the salary of the president judge of the sixth judicial district, composed of the counties of Erie, Crawford and Warren, sixteen hundred dollars.

For the salary of the president judge of the seventh judicial district, composed of the counties of Bucks and Montgomery, sixteen hundred dollars.

For the salary of the president judge of the eighth judicial district, composed of the counties of Northumberland, Lycoming and Montour, sixteen hundred dollars.

For the salary of the president judge of the ninth judicial district, composed of the counties of Cumberland, Perry and Juniata, sixteen hundred dollars.

For the salary of the president judge of the tenth judicial district, composed of the counties of Westmoreland, Indiana and Armstrong, sixteen hundred dollars.

For the salary of the president judge of the eleventh judicial district, composed of the counties of Luzerne, Wyoming and Columbia, sixteen hundred dollars; and two hundred dollars as recorder of the city of Carbondale, in said district, agreeably to the act incorporating said city.

For the salary of the president judge of the twelfth judicial district, composed of the counties of Dauphin and Lebanon, two thousand dollars.

For the salary of the president judge of the thirteenth judicial district, composed of the counties of Bradford, Susquehanna and Sullivan, sixteen hundred dollars.

For the salary of the president judge of the fourteenth judicial district, composed of the counties of Fayette, Washington and Greene, sixteen hundred dollars.

For the salary of the president judge of the fifteenth judicial district, composed of the counties of Chester and Delaware, sixteen hundred dollars.

For the salary of the president judge of the sixteenth judicial district, composed of the counties of Franklin, Bedford, Somerset and Fulton, sixteen hundred dollars.

For the salary of the president judge of the seventeenth judicial district, composed of the counties of Beaver, Butler and Lawrence, sixteen hundred dollars.

For the salary of the president judge of the eighteenth judicial district, composed of the counties of Venango, Clarion, Jefferson, Mercer and Forest, sixteen hundred dollars.

For the salary of the president judge of the nineteenth judicial district, composed of the counties of York and Adams, sixteen hundred dollars.

For the salary of the president judge of the twentieth judicial district, composed of the counties of Mifflin and Union, sixteen hundred dollars.

For the salary of the president judge of the twenty-first judicial district, composed of the county of Schuylkill, sixteen hundred dollars.

For the salary of the president judge of the twenty-second judicial district, composed of the counties of Monroe, Pike, Wayne and Carbon, sixteen hundred dollars.

For the salary of the president judge of the twenty-third judicial district, composed of the county of Berks, sixteen hundred dollars.

For the salary of the president judge of the twenty-fourth judicial district, composed of the counties of Huntingdon, Blair and Cambria, sixteen hundred dollars.

For the salary of the president judge of the twenty-fifth judicial district, composed of the counties of Clinton, Centre and Clearfield, sixteen hundred dollars; that the aforesaid amounts appropriated for the compensation of the judges of the several courts of common pleas and district courts, shall constitute the fixed annual salaries of said judges respectively, from and after the first day of June next, until otherwise appointed by law.

For the payment of mileage to the president judges of the several judicial districts, three thousand dollars.

For the payment of the salaries and mileage of the associate judges of the several counties of this Commonwealth, sixteen thousand five hundred dollars.

Guaranty of interest.

SECTION 17. For the payment of the guaranty of the Pottsville and Danville railroad company, by the act of eighth day of April, one thousand eight hundred and thirty-four, eight thousand five hundred and seventeen dollars and fifty cents, it being the interest in full on said guaranty up to the first day of August, Anno Domini, one thousand eight hundred and fifty-four, payable in accordance with the act of April twelfth, one thousand eight hundred and fifty-one; to the Bald Eagle and Spring creek navigation company, by the act of seventh April, one thousand eight hundred and thirty-five, ten thousand dollars; for the payment of the guaranty of the Tioga navigation company, by the act of the seventh April, one thousand eight hundred and thirty-five, seven thousand dollars or so much thereof as may be necessary.

Interest on State debt.

SECTION 18. For the payment of the interest on the funded debt of the Commonwealth, that will fall due on the first day of August next, and the first day of February, one thousand eight hundred and fifty-five, the sum of two million of dollars, or so much of the same as may be necessary; and the State Treasurer is hereby authorized, if it shall be necessary for the purpose of paying the interest on the said funded debt, falling due on the first day of August next, to negotiate a temporary loan, for a sum not exceeding three hundred thousand dollars, on the same terms and conditions as was provided for by the second section of an act to provide for ordinary expenses of Government, the repairs of the canals and railroads belonging to the State, and the payment of other claims upon the Commonwealth, passed on the eleventh day of April, one thousand eight hundred and forty-eight: and for the payment of the interest on the North Branch loan, forty-one thousand five hundred dollars.

Ordinary repairs.

SECTION 19. For the ordinary repairs and improvements of the canals and railroads belonging to the Commonwealth, for the year ending the thirtieth day of November, one thousand eight hundred and fifty-four, the sum of two hundred and ninety-nine thousand eight hundred and eighty-nine dollars, in addition to the sum of one hundred and fifty thousand dollars appropriated by the act of the nineteenth day of April, one thousand eight hundred and fifty-three; for necessary repairs after the first day of December, one thousand eight hundred and fifty-three, to be appropriated as follows, to wit:

For the Philadelphia and Columbia railroad, fifty-two thousand nine hundred and seventy-five dollars.



For the Allegheny portage railroad, fifty thousand dollars.

For the eastern division of the Pennsylvania canal, thirty thousand dollars; four thousand dollars thereof applicable to additional repairs of the Clark's ferry bridge.

For the Lower Juniata division, fifteen thousand dollars.

For the Upper Juniata division, twenty-five thousand five hundred dollars.

For the Upper Western division, ten thousand one hundred and eighty-six dollars.

For the Lower Western Division, twelve thousand dollars.

For the Delaware division, fifteen thousand dollars.

For the Susquehanna division, ten thousand one hundred and three dollars.

For the West Branch division, fourteen thousand four hundred and twenty-five dollars.

For the Lower North Branch division, seventeen thousand seven hundred dollars.

For the Middle North Branch division, twenty-six thousand dollars.

For the Upper North Branch division, twenty-one thousand dollars.

SECTION 20. That the supervisors and the two despatchers on the Philadelphia and Columbia railroad, shall be allowed two dollars and fifty cents each per day : and the State agents on the said road shall receive two dollars per day each : commencing on the first day of April, one thousand eight hundred and fifty-four.

Pay of supervisor and despatchers on Columbia road.

SECTION 21. For ordinary repairs to be made after the first day of December, one thousand eight hundred and fifty-four, two hundred and twenty-five thousand dollars, no part whereof shall be expended before the said first day of December, except so much of the same as may be necessary for the purchase and preparation of materials for executing repairs after that period.

Ordinary repairs after first day of December next.

SECTION 22. For expenses of motive power for the year ending the thirtieth day of November, one thousand eight hundred and fifty-four, the sum of five hundred and seventy-seven thousand two hundred and fifty-five dollars, in addition to the sum of seventy thousand dollars appropriated by the act of the nineteenth April, one thousand eight hundred and fifty-three, to be appropriated as follows, to wit :

Motive power expenses.

To the Philadelphia and Columbia railroad, including the purchase of ten locomotive engines, three hundred and forty-seven thousand two hundred and fifty-five dollars.

To the Allegheny portage railroad, including the purchase of two locomotive engines, two hundred and thirty thousand dollars, including twenty thousand dollars appropriated by an act entitled "An act providing for motive power expenses on the Allegheny Portage railroad," and approved February sixteenth, one thousand eight hundred and fifty-four.

SECTION 23. For motive power expenses from and after the first day of December, one thousand eight hundred and fifty-four; one hundred thousand dollars, to be appropriated as follows, to wit :

Motive power expenses after the first December, 1854.

To the Philadelphia and Columbia railroad, seventy thousand dollars.

To the Allegheny Portage railroad, thirty thousand dollars.

SECTION 24. For the payment of collectors, toll-gatherers, weigh-masters, inspectors, and for the incidental expenses of

Collectors, &c.



their offices, until the first of April, one thousand eight hundred and fifty-five, fifty-three thousand and eighty-seven dollars and seventy-nine cents.

Lock-tenders.

For the payment of lock-tenders, until the first day of December next, forty-five thousand nine hundred and thirty-three dollars and fifty cents ; and for the same purpose, after that period, fifteen thousand dollars.

Canal Commissioners, and contingent expenses of office.

SECTION 25. For the payment of the Canal Commissioners, and the expenses attendant upon their office, six thousand three hundred and ninety-five dollars, to be appropriated as follows, to wit :

For the compensation of the Canal Commissioners, four thousand three hundred and eighty dollars.

For the salary of the Secretary of the Board, one thousand dollars ; and for extra clerk hire, two hundred dollars.

For pay of messengers, three hundred dollars ; postage, two hundred and sixty-five dollars ; stationery and advertising, one hundred and fifty dollars ; repairing and cleaning of office, with other miscellaneous expenses, one hundred dollars.

Roads and farm bridges.

SECTION 26. For the repairs and re-building of road and farm bridges over the several lines of canals and railroads belonging to the Commonwealth, sixteen thousand dollars, including the State's proportion of the cost of constructing an iron bridge over the Philadelphia and Columbia railroad at Duke street, in the city of Lancaster.

Debts for repairs.

SECTION 27. For the payment of debts contracted for repairs during the fiscal year ending November the thirtieth, one thousand eight hundred and fifty-three, eighty-nine thousand two hundred and forty-four dollars and ninety-three cents, to be appropriated as follows, namely :

For the Philadelphia and Columbia railroad, one thousand one hundred and ninety-six dollars and fifty-seven cents.

For the Allegheny Portage railroad, thirty-five thousand two hundred and thirty-five dollars and eighty-one cents.

For the Eastern division of the Pennsylvania canal, two thousand two hundred and five dollars and ninety-three cents.

For the Lower Juniata division, nine thousand one hundred and eighteen dollars and twenty-two cents.

For the Upper Juniata division, twenty-six thousand seven hundred and ninety-eight dollars and ninety-seven cents.

For the Lower Western division, six thousand nine hundred and thirty dollars and eighty-nine cents.

For the West Branch division, seven thousand seven hundred and fifty-eight dollars and fifty-four cents.

Debts for repairs previous to first December, 1852

SECTION 28. For the payment of debts contracted for repairs previous to the first day of December, one thousand eight hundred and fifty-two, eighty-three thousand and five hundred and sixty-four dollars and twenty-one cents, to be appropriated as follows, namely :

For the Allegheny Portage railroad, thirty-seven thousand five hundred and thirty-five dollars and sixty-eight cents.

For the Lower Juniata division, nine thousand six hundred and thirty-one dollars and seventy-eight cents.

For the Upper Juniata division, six thousand eight hundred and eighty-five dollars and eighteen cents.

For the Upper Western division, nine hundred and ninety-six dollars and three cents.

For the Lower Western division, six thousand three hundred and seven dollars and sixty-six cents.

For the Delaware division, nineteen thousand two hundred and sixty-seven dollars and ninety-two cents.

For the Susquehanna division, eight hundred and ninety dollars and six cents.

For the West Branch division, two thousand and fifty dollars and ten cents.

SECTION 29. For payment of motive power debts on the Allegheny Portage railroad, contracted in the fiscal year ending the thirtieth of November, one thousand eight hundred and fifty-three, one hundred and twenty-four thousand five hundred and thirty-three dollars and five cents. For debts contracted on said road prior to the first day of December, one thousand eight hundred and fifty-two, forty-one thousand four hundred and nine dollars and forty-two cents: *Provided*, That no debt or claim arising on the Main Line of the public works shall be allowed under the provisions of this, or the two next proceeding sections of this act, until the same shall have been examined and certified to be correct and justly due, to the Auditor General, by Nimrod Strickland of Chester county, John N. Purviance of Butler county, and John Strohm of Lancaster county, or a majority of them, who are hereby appointed commissioners for the settlement of such claims and debts; and they shall enter upon the discharge of their duties as soon as practicable — within sixty days after the passage of this act — and for that purpose they shall have power to administer oaths, and send for persons and papers, in order to enable them to arrive at a just and equitable decision; and to employ a clerk to assist them in the performance of their duties, at a per diem pay not exceeding three dollars. And the said commissioners shall give due notice of the time and place at which they will enter upon the discharge of their duties, and they shall file in the office of the Auditor General, all statements and evidence which may be produced in relation to any claim or debt which they may examine or allow; and they shall be entitled to receive, as full compensation for services, three dollars for every day necessarily engaged in the discharge of their duties, and their traveling expenses, which shall be settled, together with the compensation of their clerk, by the Auditor General, and paid upon his warrants: *Provided further*, That if either of said commissioners shall refuse to accept the appointment hereby made, or shall neglect to attend to the discharge of its duties, the Governor shall supply the vacancy by a new appointment or appointments.

Motive power debts on the Allegheny Portage railroad.

Proviso.

Commissioners for settlement of claims.

Proviso.

SECTION 30. For the payment of the balance due the lock-tenders on the several lines of canal, on the first day of December, one thousand eight hundred and fifty-three, four thousand two hundred and ninety-three dollars.

Balance due lock-tenders.

SECTION 31. For the payment of Allison White, late collector of tolls at Dunnsburg, the sum of two hundred and ninety-six dollars and twenty-five cents, being the amount due him for monies over paid, as appears from his accounts in the office of the Auditor General.

Allison White.

SECTION 32. For the payment of balances due contractors for the improvement of the Delaware division of the Pennsylvania canal, twenty thousand three hundred and twenty dollars.

Balances due contractors.

SECTION 33. That for the purpose of enabling the State Treasurer to pay two hundred and nineteen thousand and fifty-eight

North Branch canal.



dollars for the completion of the North Branch canal, including fifty-seven thousand dollars appropriated by an act entitled "An Act to appropriate certain monies to be expended on the North Branch canal, approved March sixteenth, one thousand eight hundred and fifty-four," and one hundred and fifty thousand dollars towards re-laying the south track of the Philadelphia and Columbia railroad, twenty-five thousand of which is to be expended after the first day of December, one thousand eight hundred and fifty-four, for the preparation of materials: Twenty-two thousand dollars, for the completion of the north track of the Philadelphia and Columbia railroad: Three thousand two hundred and sixteen dollars for new scales at Columbia; and twelve thousand one hundred dollars for the purpose of widening the track of the Philadelphia and Columbia railroad between White Hall and Paoli, and through the Gap: which sums are hereby specifically appropriated for said purposes:—the Governor and State Treasurer be, and they are hereby authorized and empowered to renew and extend the temporary loans of the State now out-standing and created, under the seventy-first section of the act of the nineteenth of April, one thousand eight hundred and fifty-three, to provide for the ordinary expenses of government, et cetera: *Provided*, That said loans shall not be renewed and extended for a greater period than one year from the date of their maturity.

Proviso.

Completion of Allegheny Portage railroad.

SECTION 34. That for the purpose of enabling the State Treasurer to pay six hundred and five thousand seven hundred and eighty-three dollars, for the completion of the Allegheny Portage railroad, which sum is hereby appropriated to that purpose, the Governor and State Treasurer are hereby authorized to anticipate the excess of receipts to the treasury above the ordinary expenditures including interest on the public debt, for the year one thousand eight hundred and fifty-five, by a temporary loan or loans on the credit of the Commonwealth, at a rate of interest not exceeding six per centum per annum: *Provided*, That such excess shall not be estimated above five hundred thousand dollars, and shall be borrowed at such times and in such amounts as the purpose aforesaid shall require; and it shall be the duty of the State Treasurer to reimburse said temporary loan as rapidly as the means of the treasury will admit: *Provided further*, That should the main line or any other division of the public works be sold during the present year, no part of the appropriations made by this act for ordinary and extraordinary repairs or the construction of new work, shall be drawn from the treasury for the payment of work done on said division or divisions after the date of such sale.

Proviso.

Proviso.

Pennsylvania railroad company

SECTION 35. For the payment of the Pennsylvania railroad company for the use of a portion of their road, under an article of agreement, dated March the eighteenth, one thousand eight hundred and fifty-four, between the Canal Commissioners and the said company, twelve thousand five hundred dollars.

Damages which may be done to public works.

Proviso.

SECTION 36. That for the repairs of any damages that may be done to any portion of the public works by breaches or fire, or re-building the Freeport aqueduct if deemed necessary, fifty thousand dollars are hereby appropriated: *Provided*, That before any part of the said sum shall be drawn from the State Treasury, the Canal Commissioners shall certify to the State Treasurer and Auditor General, the nature and extent of such damages and the amount deemed necessary to be drawn from the treasury



to meet the expenses for repairing such damages; and if the Auditor General and State Treasurer concur in opinion as to the necessity of making such repairs before the commencement of the next session, the amount required for such purpose not exceeding the sum hereby appropriated may be advanced to the proper disbursing officer or officers.

SECTION 37. That the appropriations by this act made applicable for repairs and motive power expenses on the canals and railroads belonging to the Commonwealth, and for the payment of debts on the several lines of the public works may be paid by the State Treasurer, on the presentation of the required vouchers, and at such times after the passage of this act as the interest of the public service may require, keeping in view the different sections of the works as severally specified, subject to the restrictions contained in the twenty-ninth and thirty-fourth sections of this act.

Amounts to be paid by State Treasurer on the presentation of vouchers.

SECTION 38. For the payment of salaries of officers in the Eastern penitentiary, eight thousand dollars; for the payment of salaries of officers in the Western penitentiary, six thousand dollars; and for the completion of the Western penitentiary the sum of twenty-five hundred dollars: *Provided*, That the amount of salaries to be paid to said officers shall be fixed by the respective boards of inspectors, and shall in no case exceed the rates allowed prior to the act of the seventeenth of April, one thousand eight hundred and forty-three.

Eastern penitentiary.

Western penitentiary.  
Proviso.

SECTION 39. For the house of refuge of Philadelphia, five thousand dollars, in accordance with the provisions of an act passed in the year one thousand eight hundred and fifty-two; also, to the house of refuge of Philadelphia, six thousand dollars, as required by the provisions of an act passed the tenth day of April, one thousand eight hundred and fifty-one; for the Pennsylvania institution for the instruction of the blind, twelve thousand dollars; for the instruction of indigent pupils in the Pennsylvania institution, for the deaf and dumb, seventeen thousand dollars.

House of Refuge.

Blind.

Deaf and dumb.

SECTION 40. That for the payment of the Adjutant General for visiting the Arsenals of the Commonwealth, as directed by the act of April, one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this Commonwealth," the sum of two hundred and fifty dollars.

Pay of Adjutant General for visiting arsenals.

SECTION 41. That the clerks and assistant clerks of both branches of the Legislature shall have, in addition to their present compensation, one hundred dollars each, and each of the transcribing clerks, seventy-five dollars.

Clerks of Legislature.

SECTION 42. For the expenses of the State library, the sum of eight hundred and ninety-eight dollars, to be appropriated as follows:

State Library.

For the purchase of miscellaneous books, three hundred dollars.

For the purchase of law books, two hundred dollars.

For binding books, printing, shelving and other contingent expenses, to be disbursed under the direction of the State Librarian, three hundred and ninety-eight dollars.

To Royal and Schroyer, for printing, one hundred and thirty-six dollars and seventy cents.

To S. T. Jones, for carpet, oil cloth, et cetera, three hundred and fourteen dollars and twenty-one cents.

To John A. Smull, for arranging library and making catalogue, two hundred dollars; and that hereafter it shall not be

lawful for any officer or other person or persons to contract any debt on account of the library.

John A. Smull.

SECTION 43. That the State Treasurer is hereby authorized and required to pay John A. Smull, the same compensation that is now by law paid to the transcribing clerks.

Repeal.

SECTION 44. That the fifty-fourth section of the act entitled "An act to provide for the ordinary expenses of Government, et cetera," approved the nineteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby repealed.

Banner.

SECTION 45. For the purpose of paying for a banner purchased by the Governor, and sent to the exhibition of the industry of all nations at New York, two hundred dollars.

Superintendent of public printing.

SECTION 46. For the payment of the salary of the Superintendent of Public Printing, eight hundred dollars.

James Keenan.

SECTION 47. For the payment of James Keenan, late Adjutant General, for expenses incurred by three visits to Philadelphia, to choose a situation for the State Arsenal, as directed by section fifty-five of the appropriation act, passed on the twentieth day of April, one thousand eight hundred and fifty-three, one hundred dollars.

State Lunatic hospital.

SECTION 48. For the support of the State Lunatic Hospital, and for the payment of debts heretofore incurred, the sum of twenty-five thousand dollars; and that the accounts for all expenditures for said Hospital shall be settled by the accounting officers in the usual manner, and not more than five thousand dollars shall be drawn from the State Treasury at any time until the accounts for previous expenditures shall have been settled; and the Auditor General shall have power in all cases in settling said accounts, and the accounts for the contingent and other expenses of the Legislature and other departments of the government, to enquire into the correctness and fairness of the prices charged; and it shall be his duty to disallow any excess over fair cash prices; and he may require the seller and any one procuring supplies for said Hospital, or departments, to make affidavits as to the prices actually paid or agreed to be paid for the same, and procure affidavits from those in the trade, as to the just and fair value thereof for his information and government.

Samuel Hazard.

SECTION 49. For the payment of Samuel Hazard, for his services as editor of the Pennsylvania Archives, twelve hundred dollars, and to pay for the publication of the same, five thousand one hundred and twenty dollars, or so much thereof as may be needed, to be paid under the provisions of the act of March first, one thousand eight hundred and fifty-two.

Entertainment of Maryland Legislature, &c.

SECTION 50. For the payment in full of the expenses attending an entertainment given to the members of the Legislature and Heads of Department of the State of Maryland, at the last session of the Legislature, the sum of two thousand eight hundred and sixteen dollars and seventy-nine cents, to be disbursed in accordance with the award of the Auditor General made by his report to the Legislature, dated March twenty-fourth, one thousand eight hundred and fifty-four; and the additional sum of three hundred and twenty dollars to James Gowen, six dollars to William Buehler, and one hundred and eighty-six dollars and fifty cents to Daniel Herr, as allowed by the committee of reception.

Public buildings.

SECTION 51. For the preservation and repairs of the public buildings and public grounds, and the payment of old debts, the sum of five thousand six hundred and thirty-seven dollars and



ten cents, to be disbursed under the direction of the Secretary of the Commonwealth, except as hereafter provided, as follows:

To C. C. Mullin, for amount paid to different persons for work and labor done on grounds, and about buildings, as per vouchers in the hands of said Mullin, the sum of one hundred and twenty-six dollars and fifty-four cents. C. C. Mullin.

For the amount of A. Leibtrue's bill, dated January tenth, one thousand eight hundred and fifty-three, for work done to roof of Land office, five hundred and seventy-two dollars and forty-seven cents. A. Leibtrue.

For A. Leibtrue's bill, dated February fourteenth, one thousand eight hundred and fifty-four, three hundred and eight dollars and nineteen cents.

For estimated expenses for the year one thousand eight hundred and fifty-four, as follows:

For keeping in order the public grounds, four hundred dollars.

For repairs to roof of Capitol, two hundred dollars.

For repairs in basement of Capitol, thirty dollars.

For continuing and completing the work of enclosing the public grounds, surrounding the arsenal, with an iron railing, the sum of four thousand dollars, to be disbursed by the State Treasurer and Auditor General.

SECTION 52. To George M. Lauman and company, for the publication of the Legislative Union after the expiration of the hundred days, provided for by the contract for said publication, three hundred and fifty-eight dollars and eighty cents. Geo. M. Lauman & Co.

SECTION 53. For repairs of, and furniture for the supreme court room, the sum of two hundred and fifty dollars, as follows: Supreme Court.  
For chairs, forty dollars; for desks and fixtures, fifty dollars; for venetian blinds, forty dollars; and for carpet and white-washing, one hundred and twenty dollars; the said repairs, and furnishing of said room, to be under the directions of the prothonotary of the supreme court for the Middle District, and the accounts therefor, to be settled by the Auditor General in the usual manner.

SECTION 54. To John M. Sullivan, the sum of seventeen dollars and seventy-seven cents, paid by him on contingent expenses of the Senate, at the session of one thousand eight hundred and fifty-three, and not allowed him in the settlement of his accounts. John M. Sullivan.

SECTION 55. To William P. Brady, the sum of one hundred dollars, for compiling and preserving copies of the daily Legislative Union at the present session. Wm. P. Brady

SECTION 56. That the Clerks of the Senate and House of Representatives respectively, be authorized to pay the women employed by them for cleansing the halls of the two houses, et cetera, each twenty dollars in addition to the usual compensation. Wash-women.

SECTION 57. To Joseph L. Parker, president, and E. E. Wallace, treasurer of the Scott Legion, the sum of fifteen hundred dollars, to be applied in aid of the erection of a monument to the deceased members of the First and Second regiments, Pennsylvania volunteers, of the Mexican war. Scott Legion.

SECTION 58. For the payment of the members, clerks and officers of the board of Revenue Commissioners, and the contingent expenses attending their late session, the sum of four Revenue Commissioners.



thousand five hundred dollars, or so much thereof as may be required.

Training school  
for idiotic and  
feeble-minded  
children.

SECTION 59. That the State Treasurer is hereby authorized to pay to the treasurer of the Pennsylvania training school for idiotic and feeble minded children, such amount as said institution may be entitled to receive under the provisions of the sixth section of the act incorporating said school, passed on the seventh day of April, one thousand eight hundred and fifty-three.

Keeping of books  
in the respective  
Houses.

SECTION 60. That the clerks of the respective houses are hereby directed to have the book cases in the Senate and House of Representatives enclosed with glass doors, the keys of which during the session of the Legislature to be under their control; and that they also be directed to procure thirty copies of the pamphlet laws of each year, from one thousand eight hundred and forty to one thousand eight hundred and fifty-four, inclusive, ten copies of which to be deposited in the State Library; ten copies in the Senate, and ten copies in the House of Representatives: *Provided*, That the cost thereof shall not exceed one dollar per copy, including the half binding of the same.

Harrison M' Cabe

SECTION 61. That the clerk of the House of Representatives be authorized to pay Harrison M' Cabe eighty-five dollars, for his services as page during the present session.

Witnesses attend-  
ing investigation  
of Venango rail-  
road.

SECTION 62. For the compensation of witnesses attending before the joint committee appointed to investigate the question as to the passage of the supplement to the act incorporating the Venango railroad, the sum of two hundred and fifteen dollars and ten cents, to be distributed as follows: to W. W. Barr, seventy-one dollars and fifty cents; George Sanderson fifteen dollars; John M. Sullivan, sixty-four dollars; George W. Hamersly, thirty-nine dollars and eighty cents; Joseph R. Flanigan, twenty-one dollars and eighty cents.

Expenses to be  
paid out of the  
earnings of the  
road

SECTION 63. That the Secretary of the Commonwealth be and he is hereby authorized and required to ascertain and pay, out of the earnings of the railroad extending west from the city of Erie to the Ohio State Line, in the custody of the Governor, under the act of January twenty-eighth, one thousand eight hundred and fifty-four, all the costs and expenses incurred by the Commonwealth, of judicial proceedings against the Franklin canal company, including counsel fees and incidental expenses, and all the costs and expenses attendant upon the taking possession of and management by the State of said road, and to pay the residue of said fund to the parties legally entitled thereto: anything in the said act of the twenty-eighth of January, one thousand eight hundred and fifty-four, to the contrary notwithstanding.

Repeal.

SECTION 64. That the proviso to the ninety-eighth section of the act to provide for the ordinary expenses of government; the repair of the public canals and railroads, and other general and special appropriations, approved April nineteenth, one thousand eight hundred and fifty-three, be and the same is hereby repealed.

Colonization So-  
ciety.

SECTION 65. That the sum of eighteen hundred dollars be appropriated for the purposes and in the manner hereinafter prescribed: When the Pennsylvania colonization society shall furnish satisfactory proof to the Auditor General that any number of free persons of color, residents of this State, and their children, shall have been actually transported to the republic of Liberia, or other place on the western coast of Africa, or that

they shall have been embarked for transportation thither, the Auditor General shall draw his warrant on the treasury, in favor of the treasurer of the said Pennsylvania colonization society, for such sums of money as may be necessary to pay the expenses of transporting and subsisting such persons for a limited time on the coast of Africa: *Provided*, That not more than sixty dollars shall be allowed for the transportation and subsistence of any one person above the age of fifteen years, nor more than thirty dollars for any person above the age of two years and under the age of fifteen years.

SECTION 66. That the Secretary of the Commonwealth is hereby authorized and required to continue the printing, publication and distribution of the Pennsylvania Archives, from the year one thousand seven hundred and eighty-three to the year one thousand seven hundred and ninety, in conformity with the requirements of an act entitled "An act providing for the publication of the Colonial Records, and other original papers in the office of the Secretary of the Commonwealth," approved the fifteenth day of February, one thousand eight hundred and fifty-one, and the supplement thereto, except so far as issuing proposals for the publication of the same: *Provided*, That the cost for printing and publishing the same shall not exceed the price per volume contracted for the publication of the said archives under the above recited act; and, when so published, shall be distributed in the same manner, and to the same persons, as provided by the several acts relating to the distribution of said works.

Pennsylvania Archives.

SECTION 67. That the powers and duties of the committee to procure the publication of the geological survey of the State, shall wholly cease and determine, from and after the passage of this act; and the chairman thereof is hereby authorized and required to place all papers and vouchers relating to the said survey and publication in the office of the Auditor General, to be there filed and preserved; and that all money heretofore appropriated for the publication of said survey, and remaining in the treasury unexpended, shall be disbursed as provided by existing laws, by the Auditor General and State Treasurer; and that the further sum of seventy-seven hundred and fifty dollars be and the same is hereby appropriated to defray the expenses incurred by the publication of said survey, authorized to be published by contract, by act of April fourteenth, one thousand eight hundred and fifty-one, to be disbursed by said Auditor General and State Treasurer; and should they deem it essential to the interests of the Commonwealth, they may extend the time of publication one year from the date of the expiration of the present contract: *Provided*, That no part of the money heretofore appropriated, or of the sum hereby appropriated, shall be drawn from the treasury until the present contract is fully executed and completed; and that nothing herein contained shall be construed to release either the contractors or their sureties from any liability incurred by them to the Commonwealth.

Geological survey.

SECTION 68. For the payment of William T. Sanders, late librarian, for the balance of salary, the sum of thirty-two dollars and eighty-eight cents.

Wm. T. Sanders.

SECTION 69. For the payment of the agents appointed by the Governor, under the twenty-fourth section of the act of thirteenth of April, one thousand eight hundred and forty-six, incorpo-

Agents on Pennsylvania railroad.



rating the Pennsylvania railroad company, the sum of eight hundred dollars each.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 681.

## AN ACT

Providing for the payment of claims against the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the following sums be, and they are hereby specifically appropriated to the objects hereinafter mentioned, out of any moneys in the treasury not otherwise appropriated :*

Appropriation.

Samuel Lemon.

SECTION 2. For the payment of Samuel Lemon, for the destruction of eleven coal cars, on the Allegheny Portage railroad, agreeably to the award of the Board of Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four, the sum of one thousand three hundred and sixty-four dollars, which shall be in full for all demands that he may have against the Commonwealth on account of said cars.

John Weaver

SECTION 3. For the payment of John Weaver, for damage sustained by the injury of a section boat and cargo, on plane number two, on the Allegheny Portage railroad, May seventeenth, one thousand eight hundred and fifty-one, agreeably to the award of the Board of Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four, the sum of eight hundred and twelve dollars and sixty-eight cents, which shall be in full for all claims that he may have against the Commonwealth on account of said boat and cargo.

Noah Hartzler.

SECTION 4. For the payment of Noah Hartzler, for damages sustained by injuries to his boat on the Eastern division of the Pennsylvania canal, in November one thousand eight hundred and fifty-three, agreeably to the award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four, the sum of three hundred and eighty-



three dollars and eighteen cents, which shall be in full for said claim.

SECTION 5. For the payment of the claim of George L. Hazlette, for two horses killed and one crippled by the breaking down of the towing path on the Deer creek aqueduct, on the Western division of the Pennsylvania canal, agreeably to the award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four, the sum of three hundred dollars, which shall be in full for said claim. George L. Hazlette.

SECTION 6. For the payment of the claim of the Pennsylvania and Ohio transportation company, for damages sustained on the Allegheny Portage railroad, as per award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four, the sum of two thousand four hundred and seventy-one dollars and seventy-four cents, which shall be in full for said claim. Pennsylvania and Ohio transportation company.

SECTION 7. For the payment of the claim of Andrew Getty, for damages sustained on the Philadelphia and Columbia railroad, as per award of the Canal Commissioners, dated April twelfth, one thousand eight hundred and fifty-four, the sum of one hundred and sixty-three dollars, which shall be in full for said claim. Andrew Getty.

SECTION 8. For the payment in full, the claim of John Kugler, for damages to his house in the spring of one thousand eight hundred and fifty-one, caused by sparks from a locomotive engine on the Columbia and Philadelphia railroad, the sum of twelve dollars, as per award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four. John Kugler

SECTION 9. For the payment in full of the claim of B. J. V. Miller, for the burning of his house on the eleventh of October, one thousand eight hundred and fifty-three, by sparks from a locomotive engine on the Philadelphia and Columbia railroad, the sum of five hundred dollars, as per award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four. B. J. V. Miller.

SECTION 10. For the payment of the claim of Thomas M'Kee, for materials taken for the repairs of the eastern division of the Pennsylvania canal, the sum of one hundred and fifty dollars, which shall be in full for said claim, as per award of the Canal Commissioners, dated March twenty-second, one thousand eight hundred and fifty-four. Thomas McKee.

SECTION 11. That the Canal Commissioners be and they are hereby authorized and directed to re-assess the value of lands appropriated for the western reservoir, and draw their warrants on the State Treasurer for the payment of the amounts they may find due the respective owners, not to exceed the amounts heretofore assessed by the said board: *Provided*, That such valuation shall be based upon the actual value of the lands at the time the same were appropriated for the use of the Commonwealth. Western reservoirs. Proviso.

SECTION 12. For the payment in full of the claim of Margaret Moore, for injury done to her house by sparks from a locomotive on the Philadelphia and Columbia railroad, the sum of thirty dollars, as per award of the Canal Commissioners, dated April seventeenth, one thousand eight hundred and fifty-four. Margaret Moore.

SECTION 13. For the payment in full of the claim of William Rue, for injuries done to his buildings, fences and woodlands, caused by sparks from a locomotive on the Philadelphia and Columbia railroad, the sum of one hundred and one dollars and William Rue

twenty-five cents, as per award of the Canal Commissioners, dated April seventeenth, one thousand eight hundred and fifty-four.

Stephen A. and  
Peter Myers.

SECTION 14. For the payment in full of the claim of Stephen A. and Peter Myers, against the Commonwealth and the Pennsylvania railroad company, as damages for the destruction of the water power of their saw mill, caused by the construction of the new Allegheny Portage railroad, and the Pennsylvania railroad, the sum of one thousand seven hundred dollars, as per award of the Canal Commissioners, dated April seventeenth, one thousand eight hundred and fifty-four.

John Landis.

SECTION 15. For the payment in full of the claim of John Landis, for additional damages to his land, caused by the reconstruction of the Conestoga bridge, on the Philadelphia and Columbia railroad, the sum of two hundred and twenty-five dollars, as per award of the Canal Commissioners, dated April seventeenth, one thousand eight hundred and fifty-four.

Samuel Lemon.

SECTION 16. For the payment in full of the claim of Samuel Lemon, for additional damage done to his land by the re-construction of the Conestoga bridge, on the Philadelphia and Columbia railroad, the sum of three hundred and forty dollars: *Provided*, That the said Samuel Lemon shall convey to the Commonwealth, by a good and sufficient title, three acres and fifteen perches of land, agreeably to the award of the Canal Commissioners, dated April seventeenth, one thousand eight hundred and fifty-four.

Proviso.

William Buchler.

SECTION 17. For the payment in full of the claim of William Buchler, for damage to four lots in the borough of Erie, caused by the construction of the Erie extension of the Pennsylvania canal, the sum of seven hundred and fifty dollars, as per award of the Canal Commissioners, dated February twenty-fourth, one thousand eight hundred and fifty-two.

Joseph and Nancy  
M'Clure.

SECTION 18. For the payment in full of the claim of Joseph and Nancy M'Clure, for damage done to their property by the construction of the Shenango division of the Pennsylvania canal, the sum of sixty dollars, as per award made by the Canal Commissioners on the twenty-sixth of January, one thousand eight hundred and fifty-two.

Heirs of William  
Beatty.

SECTION 19. For the payment in full of the claim of the heirs of William Beatty, deceased, for lock-house lot, number eighteen, on the Erie extension of the Pennsylvania canal, the sum of fifty-five dollars, as per award of the Canal Commissioners, dated March fourteenth, one thousand eight hundred and fifty-three.

William H. Richardson & Co.

SECTION 20. For the payment in full of the claim of William H. Richardson and company, for damages sustained by raising and repairing dam number two, on the Kiskiminetas river, the sum of one thousand eight hundred dollars, as per award of the Canal Commissioners, dated April eleventh, one thousand eight hundred and fifty.

Christian Mayer.

SECTION 21. For the payment in full of the claim of Christian Mayer, for damage on the Philadelphia and Columbia railroad, by the raising of an embankment in front of his lot, the sum of four hundred dollars, as per award of the Canal Commissioners, dated April twelfth, one thousand eight hundred and fifty-three.

David Scowden.

SECTION 22. For the payment in full of the claim of David Scowden, for sundry damages, the sum of two hundred dollars,



as per award of the Canal Commissioners, dated February eighteenth, one thousand eight hundred and fifty-three.

SECTION 23. For the payment in full of the claim of David Lee, David Lee. Lee, for the destruction of a section boat on the Philadelphia and Columbia railroad, the sum of two hundred dollars, as per award of the Canal Commissioners, dated March twenty-ninth, one thousand eight hundred and fifty-three.

SECTION 24. For the payment in full of the claim of Henry W. and Ann Archer, Hugh W. and Ann Archer. Archer, for damage done to their property on the West Branch division of the Pennsylvania canal, the sum of five hundred dollars, as per award of the Canal Commissioners, dated March twenty-first, one thousand eight hundred and fifty-three.

SECTION 25. For the payment in full of the claim of M'Korkle, Greider and company, M'Korkle, Greider & Co. Greider and company, for damages sustained on the Philadelphia and Columbia railroad, the sum of one hundred and ninety dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 26. For the payment in full for the claim of Mary Nolen, Mary Nolen. Nolen, of Johnstown, for a portion of her lot occupied by the State in the construction of a side track and turn-table, on the Allegheny Portage railroad, the sum of forty dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 27. For the payment in full of the claim of Patrick Little, Patrick Little. Little, for the destruction of his house, caused by sparks from a locomotive engine, on the Philadelphia and Columbia railroad, the sum of two thousand five hundred dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 28. For the payment in full of the claim of Jacob T. Minster, Jacob T. Minster. Minster, for damage done to his house, caused by sparks from a locomotive engine, on the Philadelphia and Columbia railroad, the sum of five hundred and eleven dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 29. For the payment in full of the claim of J. D. Webster, J. D. Webster. Webster and company, for damages sustained to five cars, on the Philadelphia and Columbia railroad, the sum of four hundred and forty-three dollars and fifty cents, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 30. For the payment in full of the claim of James Freeland, James Freeland. Freeland, for a boat used by the Commonwealth to stop a breach on the North Branch division of the Pennsylvania canal, the sum of one hundred and fifty dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 31. For the payment in full of the claim of Thomas Richard and Alexander M. White, Thomas, Richard and Alexander M. White. White, for damage done to their coal bank, and fixtures, and house, and stable, and meadow land, and garden, by the construction of the new Allegheny Portage railroad, the sum of nine hundred and forty dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

SECTION 32. For the payment in full of the claim of Michael Thompson, Michael Thompson. Thompson, for the burning of his stable-shed for horses, and a pig-pen connected therewith, caused by sparks from a locomotive,



on the Allegheny Portage railroad, on the fourteenth of March last, the sum of five hundred dollars, as per award of the Canal Commissioners, dated April twenty-second, one thousand eight hundred and fifty-four.

Allegheny and  
Butler plank road  
company.

SECTION 33. For the payment in full of the claim of the Allegheny and Butler plank road company, for the Commonwealth's portion of the cost of constructing a wall for the protection of said companies' road, and the western division of the Pennsylvania canal, the sum of eight hundred and thirty-four dollars and fifty cents, as per resolution of the board of Canal Commissioners, dated February third, one thousand eight hundred and fifty-four.

Damages to avoid  
curve at Cones-  
toga bridge.

SECTION 34. For the payment of claims for damages to lands, sustained in consequence of the avoidance of the curve at the Conestoga bridge on the Columbia railroad, as per report of the Canal Commissioners of thirtieth March, one thousand eight hundred and fifty-three, eight hundred and twenty-five dollars, as follows:

To John Landis, two hundred and fifty dollars;

To Emanuel Landis, two hundred and twenty-five dollars;

To Samuel Lemon, two hundred and fifty dollars;

To Andrew Clemens, one hundred dollars.

Damages, burn-  
ing at Lemon  
Place.

SECTION 35. For the payment of claims for damages sustained to the furniture at the burning of Lemon Place, to Anthony and Catharine Lechler, three hundred and eighty-six dollars and fifty cents, as per award of the Canal Commissioners, April sixth, one thousand eight hundred and fifty-three.

Samuel D. Karns.

SECTION 36. For the payment of the claim of Samuel D. Karns, for services rendered and expenses incurred in employing and transporting laborers to repair the breach in the Pennsylvania canal, in July, one thousand eight hundred and thirty-eight, the sum of one hundred and fifty-six dollars and seventy-three cents, which shall be in full of said claim.

Heirs of Christian  
Fisher.

SECTION 37. For the payment of the claim of the heirs of Christian Fisher, for damages sustained by the construction of the Susquehanna division of the Pennsylvania canal, pursuant to the award of the board of Canal Appraisers, dated fifteenth of September, one thousand eight hundred and thirty-seven, the sum of six hundred dollars.

William Palmer.

SECTION 38. For the payment of the claim of William Palmer, for damages to his property in and adjoining the town of Jefferson, Cambria county, caused by the construction of the new Allegheny Portage railroad, the sum of three hundred dollars, pursuant to award of the Canal Commissioners, dated April twenty-seventh, one thousand eight hundred and fifty-four.

James Conrad.

SECTION 39. For the payment of the claim of James Conrad, for damages in the destruction of a stable, fired by sparks from a locomotive engine, on the new Allegheny Portage railroad, one hundred dollars, pursuant to award of the Canal Commissioners, dated May first, of the present year.

H. P. Cadwalla-  
der.

SECTION 40. For the payment of the claim of H. P. Cadwallader, for damages in the loss of a horse, in crossing the Duncan's Island bridge, sixty dollars, pursuant to award of the Canal Commissioners, of eighth of January, one thousand eight hundred and fifty-two.

John Hogan and  
John Love.

SECTION 41. For the re-payment of John Hogan and John Love, the amount overpaid by them on judgment in favor of the Commonwealth, in the court of Common Pleas of Huntingdon.

county, number sixty-four of May term, A. D., one thousand eight hundred and forty-four, the sum of thirty-two dollars and thirty-one cents.

SECTION 42. That the Auditor General be, and he is hereby John Carr. authorized to examine the accounts of John Carr, for cleaning arms and making boxes, and allow such amount as he shall find reasonably and justly due, and draw his warrant for the same on the State Treasurer who is authorized to pay the same out of the military fund."

SECTION 43. For the payment of the claim of Seward and Seward & Kellogg Kellogg, contractors upon section one hundred and seventy-three, North Branch extension, for embankment, the sum of one thousand seven hundred dollars.

SECTION 44. For the payment of the claim of Alvin Seward, Alvin Seward. contractor on section number twenty-eight, North Branch extension, for excavation, the sum of seven hundred and twenty dollars.

SECTION 45. For the payment in full of the claim of Austin Austin Thompson Thompson, of Cambria county, for damages done to his saw mill and land, in Cambria county, by the construction of the new Allegheny Portage railroad, the sum of twelve hundred and fifty dollars, as per award of the Canal Commissioners, dated the third day of May, eighteen hundred and fifty-four.

SECTION 46. For the payment of the damages sustained by Reeves, Abbott & Co. Reeves, Abbot and company, in furnishing iron for re-laying the Columbia and Portage railroads, and not being paid therefor according to contract, the sum of nine thousand one hundred and ninety-two dollars and thirty-seven cents: *Provided*, That the Canal Commissioners shall first certify the amount due said parties on account of such non-payment: *Provided*, That the Proviso. damages to be paid shall not exceed the interest upon the sums unpaid from the time they became payable respectively.

SECTION 47. For the payment in full of the claim of James James M'Colgan. McColgan, for the killing of two of his horses, at the foot of plane number five, on the Portage railroad, in the year eighteen hundred and fifty-two, the sum of two hundred dollars, as per award of Canal Commissioners, dated the seventeenth day of April, eighteen hundred and fifty-four.

SECTION 48. That the Canal Commissioners be, and they are North Branch extension. hereby authorized to settle with the contractor for cleaning up and finishing section number one hundred and eighty-two, on the North Branch extension, on such terms as shall be consistent with strict justice and the interests of the Commonwealth; and the sum which may be found due, shall be paid out of the sum heretofore appropriated for the completion of said extension.

SECTION 49. For the payment of Archibald Galbraith, for the Archibald Galbraith. killing of two of his horses at the foot of plane number six, Allegheny Portage railroad, on the eighth day of February, eighteen hundred and fifty-three, the sum of two hundred and twenty-five dollars, agreeably to the report of the Canal Commissioners, in pursuance of an act of Assembly, approved April twelfth, A. D. one thousand eight hundred and fifty-three.

SECTION 50. For opening and turnpiking a street in the bo- Turnpiking a street in Columbia. rough of Columbia, as provided for by an act approved the eleventh of June, one thousand eight hundred and forty, and a further act approved the eighth of April, one thousand eight hundred and fifty-three, the sum of four thousand dollars, to be drawn upon the warrants of the Canal Commissioners, or so



much of said sum as may be required to comply with the provisions of said acts.

Pennsylvania  
railroad company

SECTION 51. That the sum of three thousand seven hundred and fifty dollars, be and the same is hereby appropriated to the Pennsylvania railroad company, that being the amount paid by said company to Hiram Caster, for personal injuries sustained by him on the Allegheny Portage railroad.

Samuel Singer.

SECTION 52. For the payment in full of the claim of Samuel Singer, for burning of his property on the Allegheny Portage railroad, in the stable of James Conrod, caused by sparks of a locomotive on the first day of June, one thousand eight hundred and fifty-three, as per award of Canal Commissioners, dated May first, one thousand eight hundred and fifty-four, the sum of two hundred and ninety-five dollars.

John M. Crossland.

SECTION 53. For the payment of John M. Crossland for fees paid into the treasury of the Commonwealth, for a commission to sell goods as an auctioneer in the borough of Pottsville, twenty-five dollars.

William Henrey.

SECTION 54. That nineteen dollars be and the same is hereby appropriated to William Henrey, of Beaver, for bill of printing due him and incurred by direction of Samuel P. Adams, brigade inspector of third brigade, sixteenth division of militia, previous to sixteenth of April, Anno Domini, one thousand eight hundred and forty-nine.

David Knabel

SECTION 55. That eight dollars be and the same is hereby appropriated to David Knabel, inspector of third brigade, sixteenth division of Pennsylvania militia, being the amount paid by him to Captain Samuel S. Austin, for enrolling, et cetera, for the year one thousand eight hundred and forty, allowed in settlement with the Auditor General the twelfth April, one thousand eight hundred and fifty-three.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The ninth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 682.

## AN ACT.

To repeal the fifth section of an act entitled "A supplement to the act incorporating the Mercer and New Castle Railroad Company," approved the sixth day of March, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifth section of the act entitled "a supplement to an act enti-*



tled 'An act to incorporate the Mercer and New Castle Railroad company,' approved the sixth day of March, Anno Domini, one thousand eight hundred and fifty-four, be and the same is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The ninth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 683.

## A FURTHER SUPPLEMENT

To an act entitled "An act to incorporate the Pittsburgh and Steubenville Railroad company." passed the twenty-fourth day of March, Anno Domini, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Pittsburgh be and hereby is authorized to subscribe for any number, not exceeding six thousand shares, of the capital stock of the Pittsburgh and Steubenville railroad company, in addition to the subscription already made, and the said city is hereby authorized to pay therefor and to borrow money for that purpose, and to make provision for the payment of the principal and interest of the money so borrowed, and to issue certificates of loan or bonds with coupons attached, for the money so borrowed, and no certificate of loan or bond so issued shall be for a less sum than five hundred dollars; and the certificates of loans and bonds so issued or to be issued for the purpose aforesaid, bearing an interest of six per centum per annum, payable half yearly, shall be received as cash at par by the said company in payment of said subscription, and the said city may be represented at the meetings and elections of said company, and may vote thereat as well for the subscription heretofore made as for that to be made under this act, by an officer or agent specially authorized by the councils of the said city for that purpose, the said city having the same rights and privileges as individual stockholders; the said subscription to be made by an ordinance duly enacted by the select and common council of said city, and not otherwise, and upon such condition as may be agreed upon between said city and the railroad company.

SECTION 2. That any act so far as the same is inconsistent with the provisions of this supplement, be and the same is hereby repealed.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

—

WE do hereby certify that the bill entitled "A further supplement to an act entitled 'An act to incorporate the Pittsburgh and Steubenville railroad company,'" passed the twenty-fourth day of March, Anno Domini, one thousand eight hundred and forty-nine, was presented to the Governor on the twenty-first day of April, one thousand eight hundred and fifty-four, was not returned within ten days, (Sundays excepted,) after it had been presented to him, wherefore it has agreeably to the constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

*Clerk of the House of Representatives.*

THOMAS A. MAGUIRE,

*Clerk of the Senate.*

Harrisburg, May 8, 1854.

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No. 684.

## SUPPLEMENT

To an act, entitled "An act to incorporate the Allegheny and Bald Eagle Railroad, Coal and Iron Company."

Extension of act.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the construction of the railroad authorized to be constructed by the act of June twelfth, eighteen hundred and thirty-nine, entitled "An act to incorporate the Allegheny and Bald Eagle railroad, coal and iron company," which said time expired on the eleventh day of April, instant, as required by the supplement to said act, passed the eleventh day of April, eighteen hundred and forty eight, be and the same is hereby extended for six years from the passage of this act, and the time for completing the same is hereby extended for ten years, from the same period.

Additional  
corporators

SECTION 2. Whereas, several of the said corporators are deceased, that William D. Lewis, Charles F. Lex, James J. Hale, James Irwin, John T. Hoover, James Gililan, James Irwin, William A. Thomas, A. S. Valentine, John Irwin, junior, E. O.

Burton, Andrew G. Curtin and Henry Brockerhoff, are hereby made incorporators, who, with those who may be living, that were named in the original act, shall have all the like powers and perform the same duties as are herein prescribed, and the said company when incorporated, shall be entitled to the same powers and privileges, and be subject to the same restrictions as set forth in the act aforesaid: *Provided*, That the said company shall have the power to construct their road to a point at or near the head or commencement of the Bald Eagle and Spring Creek navigation. Proviso.

SECTION 3. That the tenth section of the said act is hereby repealed, but it shall and may be lawful for the Legislature to amend or repeal any of the provisions in said act, and rescind the powers therein granted, whenever, in their opinion, it shall be found injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporation, the said company shall have the right to hold two thousand acres of land, in Snow Shoe township, Centre county: *Provided*, That the stockholders in said company shall be jointly and severally liable in their individual estates and capacities, for all debts contracted for work and labor done, goods, wares, merchandize, country produce, materials and machinery furnished and delivered to said company, during the time they respectively hold their stock or are beneficially interested therein. Tenth section of original act repealed.  
Proviso.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 685.

## AN ACT

To lay out a State Road in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John C. M'Allister and Peter Fox, junior, of the township of Susquehanna, John Zinn and Henry Peffer, of the borough of Harrisburg, and John P. Rutherford, of the township of Swatara, in the county of Dauphin, be and they are hereby appointed commissioners to view, lay out and distinctly mark upon the ground a State road, of the width of fifty feet, until it intersects the State road leading from the Susquehanna river to the Pennsylvania State Lunatic Hospital, and from thence forty feet to Commissioners.  
Route.



the end of said road, commencing in the borough of Harrisburg, in the county of Dauphin, at a point where the centre of the public lane, commonly called Brua's lane, intersects the street or public highway passing along the north-west side of the enclosed grounds on which is erected the basin of the Harrisburg water-works, in said borough, and from thence passing along, as far as practicable and judicious, on the summit of the ridge at which said road commences, and from thence to and ending at a point on the Harrisburg and Millerstown turnpike road, either north or south, not exceeding twenty-five perches from the brick house adjacent to said road, owned by John H. Fox, situate in the township of Susquehanna, in the county aforesaid; should any vacancy occur by inability, refusal or neglect of any of said commissioners, to attend and execute the duties enjoined by this act, the commissioner or commissioners in attendance shall be and is hereby authorized to appoint one competent and judicious person for each vacancy occurring, and shall have like power as though originally by this act appointed.

Meetings of commissioners.

SECTION 2. That the said commissioners shall meet on or before the first Monday in June next, or within ten days thereafter, at the court house in Harrisburg, and when so met, or any three of them, they shall before entering upon the duties of their appointment, take and subscribe an oath or affirmation before some justice of the peace, to execute the duties enjoined upon them by this act with fidelity and impartiality, and to the best of their judgment and abilities, which oaths or affirmations shall be attested to by said justice and by him delivered to the clerk of the court of quarter sessions of the county of Dauphin, who shall file the same in his office; said commissioners when organized as aforesaid, shall be and they are hereby authorized and directed to employ one surveyor, two chain-bearers and one axe-man, and shall then proceed to view and lay out said State road in strict conformity with the provisions contained in this act, and shall, as they pass along, cause the courses and distances of said road to be carefully noted, also all lanes, roads, lands and lines of lands said State road may pass over, and also plainly and carefully to mark the ground on the route the aforesaid State road shall be laid out upon, and in such manner as to enable supervisors and others readily to find and construct said road: *Provided*, That the said road shall not extend further north than the Asylum road.

Drafts to be made out and filed.

SECTION 3. That the said commissioners shall, on or before the first Monday in June next, make out two fair and accurate drafts of the location of said State road, showing its full breadth, also that of lanes and roads it may pass on or over, carefully noting on said drafts the courses and distances of said road, adjacent improvements, lands, lines of lands, lanes and roads as they occur, over which said road may pass, also the names of the respective owners of land, and the quantity of land, neat measure, said State road will take from each person owning lands on the route of said road, together with such other matters as may serve for explanation; and the damages occasioned by the opening of said road, as aforesaid, shall be assessed by viewers, to be appointed by the court of quarter sessions of the county of Dauphin, under the provisions of the general road laws of this Commonwealth, and shall be paid out of the county treasury in the usual way.

SECTION 4. That the clerk of the court of quarter sessions of the county of Dauphin shall, at the expense of said county, within ten days after delivery to him of the draft and report required by the third section of this act, make, or cause to be made, an accurate and true copy of said draft and report, each separate and under seal of office, and deliver them to the commissioners of the county of Dauphin, or in absence, to their clerk, who shall present them to said commissioners at their first meeting thereafter, whereupon the commissioners of said county of Dauphin shall, within ten days after, issue county orders on the treasurer of said county, in favor of the respective persons respectively named in the aforesaid report, for the amount of damages respectively assessed and found due to each person named in said report, and respectively set opposite their respective names, and shall cause their clerk forthwith to deliver said orders to the persons in whose favor respectively issued, which orders shall be paid on sight by the treasurer of the county of Dauphin, out of any county money then in his hands, or if none, then out of the first that may come into his hands thereafter.

Duties of clerk of court of quarter sessions.

SECTION 5. That the commissioners appointed by or pursuant to provisions in this act, and shall execute the duties therein enjoined, together with the surveyor they employ, shall each receive a per diem allowance of two dollars for each and every day necessarily spent in executing the duties enjoined by this act, and the per diem allowance the chain-bearers and axe-man shall receive, shall be one dollar each for each and every day they or either of them shall necessarily be employed by said commissioners, all of which shall be paid out of the treasury of the county of Dauphin, on county orders issued by the commissioners of said county upon the treasury thereof, in favor of said commissioners, surveyor, chain-bearers and axe-man, for the sums respectively due them.

Duties of commissioners.

SECTION 6. That on or before the first day of September next, the whole of that part of aforesaid State road north of the centre of the State road leading from the Susquehanna river to the Pennsylvania State Lunatic Hospital shall, to its full extent in length and width, by the supervisors of the township of Susquehanna, in the county of Dauphin, be opened, made, constructed and put into good and safe traveling order, by filling up the centre of said road with earth taken from the sides thereof, so that the face of said road in its width, when finished, shall be of circular form, all at the expense of said township of Susquehanna; and all the remaining part of said State road south of the centre of the aforesaid river and Hospital road shall, in all respects, to its full extent in length and width, by the county of Dauphin be opened, made, constructed and put into the same order and condition that is herein enjoined and required the northern part of said road shall be when finished, all at the expense of said county of Dauphin; that in order to carry said enactment into full effect, the commissioners of the county of Dauphin shall be and they are hereby authorized, directed and required to employ in such manner and upon such terms and conditions as in their judgment will be most advantageous to said county, a sufficient number of persons to do the labor requisite to fulfill the aforesaid enactment by the period stated, and to issue county orders on the treasurer of said county of Dauphin in favor of the persons they may so employ, for such sums of money as

Certain part of road to be opened by the first of September, 1854

Duties of commissioners of Dauphin county.

shall, from time to time, become due them, respectively; that for neglect or refusal by any of the commissioners of said county of Dauphin, or by any of the supervisors of the township of Susquehanna, in said county, to execute the duties enjoined upon them by the enactments in this act, each commissioner or supervisor so neglecting and refusing shall be fined by any justice of the peace in said county of Dauphin, before whom information shall be made forthwith, to pay a fine of not less than twenty-five nor more than fifty dollars, one-half whereof shall be paid to the person or persons who shall make information, and the other half shall be paid to the treasurer of the county of Dauphin, for the use of said county, and after said State road shall be opened, made and completed, as aforesaid, said road shall thereafter be repaired and kept in like good order and condition by and at the expense of the township or townships, borough or city it may be or hereafter come to be situate in.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate*

APPROVED—The eighteenth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



## RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND FIFTY-FOUR

No. 1.

## RESOLUTIONS

Relative to the removal of the United States Mint from the City of Philadelphia to the City of New York.

WHEREAS, We have heard with apprehension, that movements continue to be made, and influences to be exerted, to effect the removal, by the government of the United States, of the Mint from the city of Philadelphia to the city of New York; therefore,

1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That cherishing the credit, prosperity and honor of Philadelphia, and of Pennsylvania, and regarding these as involved in the proposed measure, we condemn the movement as unjust towards the city, which should, as the cradle of our Independence, be regarded with national pride, if not with national favor.

2. *Resolved,* That the proposed measure is politically unwise and inexpedient, inasmuch as it tends to foster and build up a centralized power, dangerous to liberty and republican equality.

3. *Resolved,* That the proposed measure is commercially inexpedient and unwise, inasmuch as, in addition to great and special favors already received from the National Treasury to build up their commercial marine, thereby absorbing the commercial prosperity of sister States, it will further aggrandise New York, at the expense of the other great commercial cities southward thereof.

4. *Resolved,* That the proposed measure is, in point of economy, unwise and inexpedient, inasmuch as it will involve the abandonment of buildings and machinery, fully adequate to the whole national coinage, and the erection of others, at an enormous expense, in the city of New York.

5. *Resolved,* That the proposed measure is, in a prudential aspect, unwise and inexpedient, inasmuch as it would remove the national treasure from a place of perfect safety, to a point peculiarly open to attack from the ocean.

6. *Resolved,* That Pennsylvania cannot but regard these constant movements and pressures upon the Congress of the United States, as illiberal and unjust, and she therefore appeals to her sister States, with an earnest and confident trust, that they will, by timely interposition, check the all absorbing and centralizing efforts of New York.

7. *Resolved,* That the members of the House of Representatives, from Pennsylvania, be requested, and the Senators in Con-

gress be instructed, to use every means in their power to resist the effort to despoil the Metropolis of Pennsylvania of the Mint of the United States, which has stood there with unblemished credit from the foundation of the National Government.

8. *Resolved*, That the Governor cause a copy of the foregoing preamble and resolutions to be sent to each member of the House of Representatives, and the Senators in Congress from Pennsylvania.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The sixteenth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 2.

## RESOLUTION

Relative to the purchase of Sutherland's Legislative Manual.

*Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the Clerks of each House be authorized to supply the members and clerks of their respective Houses with a copy of Sutherland's Legislative Manual for the present session.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of January, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 3.

## RESOLUTIONS

Relative to Old Soldiers.

WHEREAS, The subject of the disposal of the public lands belonging to the United States, has for some time engaged the attention of public men :

*And whereas*, The condition of the treasury does not require the proceeds of sale to be used for the ordinary purposes of government :

*And whereas*, Gratitude, as well as justice to the soldiers who have been engaged in the wars of the Republic, has been deemed proper, as manifested by the passage of acts of Congress donating to the soldiers of the late war with Mexico large tracts of land :

*And whereas*, The soldiers of the war of eighteen hundred and twelve are, in every respect, deserving of the same gratitude of the people, and a donation to them corresponding to their deserts, and the law granting to the Mexican soldiers would meet with general approval ; Therefore,

1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That our Senators in Congress be instructed, and our Representatives requested, to use their influence and vote for the passage of an act granting to each soldier one hundred and sixty acres of public lands, in accordance with the request as published at the convention of soldiers lately held in the city of Philadelphia.

2. *Resolved*, That the Government of the United States should extend to the soldiers and widows of soldiers that remain of those who served in the last war with Great Britain, the benefits of the pension system that was created for and enjoyed by the soldiers and widows of the Revolution.

3. *Resolved*, That the Governor be requested to forward a copy of the foregoing resolutions to each of our Senators and members of Congress, and to each of the Governors of the several States.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

Adopted in the Senate, January twenty-six, one thousand eight hundred and fifty four.

THOMAS A. MAGUIRE, *Clerk.*

Adopted in the House of Representatives, February eighteen, one thousand eight hundred and fifty-four.

WM. JACK, *Clerk.*



## No. 4.

## RESOLUTION

Relative to the distribution of the Colonial Records and Pennsylvania Archives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the members and officers of the present Legislature, not authorized by existing laws, to receive copies of the Colonial Records and Pennsylvania Archives, shall be entitled to receive one copy of said works, respectively, and the Secretary of the Commonwealth is hereby authorized to make a distribution accordingly: Provided, That there are, of the present printed edition, a sufficient number of copies to furnish the said members and officers, without breaking the sets of those already entitled to receive them by law.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

## No. 5.

## RESOLUTION

Relative to the distribution of the Colonial Records.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the members of the present Board of Revenue Commissioners shall each be entitled to a copy of the Colonial Records and Pennsylvania Archives, except such members as have heretofore received copies of said work as members of Assembly or otherwise.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 6.

## RESOLUTIONS

Relative to the pay and mileage of the Board of Revenue Commissioners.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the daily pay and mileage of the present board of Revenue Commissioners and their officers, shall be the same as is now allowed by law, to members of the Legislature.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 7.

## JOINT RESOLUTION

Requesting the Governor to remove Daniel B. Vondersmith, an Associate Judge of the Court of Common Pleas of Lancaster county.

WHEREAS, Daniel B. Vondersmith, an associate judge of the court of common pleas of Lancaster county, was indicted in the district court of the United States, for the Eastern district of Pennsylvania, of having feloniously forged certain certificates and powers of attorney, in fraud of the Government of the United States:

*And whereas,* The said Daniel B. Vondersmith failed to appear in answer to said indictment, but has absconded and left the country; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That for the reasons hereinbefore recited, and in virtue of the second section of the fifth article of the constitution of the Commonwealth of Pennsylvania, the Governor be and he hereby is requested to remove the said Daniel B. Vondersmith from the office of associate judge of the court of common pleas of Lancaster county.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

We do certify, that the foregoing resolutions, "authorizing the Governor to remove Daniel B. Vondersmith, an associate judge of the court of common pleas of Lancaster county," passed the Legislature by the constitutional majority, it having received two-thirds of the votes in each branch thereof.

THOMAS A. MAGUIRE,  
*Clerk of the Senate.*

WM. JACK,  
*Clerk of the House of Representatives.*

No. 8.

### A RESOLUTION

Supplementary to a resolution, of last session, entitled "Resolution relative to a subscription to Peter A. Browne's proposed work on sheep breeding and wool growing."

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That each member of the present Legislature who is not now authorized by law, to receive a copy of the work of Peter A. Browne, on sheep breeding and wool growing subscribed for the use of the Commonwealth, be entitled to receive a copy of the same: Provided, That there shall remain a sufficient number of copies of said work, after the same shall be distributed, according to the law of the last session.*

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 9.

### JOINT RESOLUTION

Relative to the Public Printing and Binding.

1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That from the documents authorized to be printed by the ninth*



section of the act of fifteenth March, one thousand eight hundred and fifty-three, two hundred copies of each report shall be reserved for the use of the department from which it may have originated, except of the report of the superintendent of common schools of which one thousand five hundred copies shall be so reserved, and of the Governor's annual message five hundred copies shall be reserved for his use.

2. That all orders for Binding for the use of the Legislature, the Executive Departments or their officers, the Canal Commissioners or their officers, shall be executed under the supervision of the Superintendent of the public printing by the State Printer; and no accounts for the same shall be allowed unless accompanied by the certificate of said Superintendent.

3. That the Superintendent of the public printing shall require the acceptance of the provisions of the preceeding sections of this act, from the present State Printer which shall be in writing and filed in the office of the Auditor General, after which it shall be of full force and effect.

4. That the Auditor General is hereby authorized to settle the account of the Superintendent of public printing annually, for the necessary contingent expenses of said office, and draw his warrant upon the State Treasurer for the amount found due.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, one thousand eight hundred and fifty-four

WM. BIGLER.

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No. 10.

## RESOLUTION

Proposing amendments to the Constitution of the Commonwealth.

SECTION 1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the following amendments be and the same are hereby proposed to the Constitution of the Commonwealth, under and in accordance with the provisions of the tenth article thereof, to wit:

PROPOSITION 1, TO BE ARTICLE XI.

SECTION 1. The aggregate amount of debts hereafter contracted by the Commonwealth shall never exceed the sum of five hundred thousand dollars, except in case of war to repel invasion, suppress insurrection, or to redeem the public debt of the Commonwealth, and the money so raised shall be applied to the

purpose for which the debt may be contracted or pay such debts, and to no other purpose.

SECTION 2. To pay the public debt of the Commonwealth, and debts which may hereafter be contracted in case of war to repel invasion, suppress insurrection and to redeem the public debt, the Legislature shall at their next session after the adoption of this section into the constitution, provide by law for the creation of a sinking fund, which shall not be abolished till the said public debts be wholly paid, to consist of all the net annual income from the public works and stocks owned by the Commonwealth, or any other funds arising under any revenue law now existing or that may be hereafter enacted, so far as the same may be required to pay the interest of said debts semi-annually, and annually to reduce the principal thereof by a sum not less than five hundred thousand dollars, increased yearly by compounding at a rate of not less than five per centum per annum; the said sinking fund shall be invested in the loans of the Commonwealth, which shall be cancelled from time to time in a manner to be provided by law: no portion of the sinking fund shall ever be applied to the payment of the debt of five hundred thousand dollars mentioned in the first section of this article, but the said sinking fund shall be applied only to the purposes herein specified.

SECTION 3. The credit of the Commonwealth shall not in any way be given or loaned to or in aid of any individual, company, corporation or association, nor shall the Commonwealth hereafter become a joint owner or stockholder in any company, association or corporation in this Commonwealth or elsewhere, formed for any purposes.

SECTION 4. The Commonwealth shall never assume the debts of any county, city, borough or township, or of any corporation or association, unless such debts shall have been contracted to repel invasion, suppress insurrection, or to defend the State in war.

PROPOSITION 2, TO BE ARTICLE XI.

*Prohibiting Municipal Subscriptions.*

The Legislature shall never authorize any county, city, borough or township, by vote of its citizens or otherwise, to become a stockholder in any joint stock company, association or corporation, or to raise money for, or loan its credit to, or in aid of any such company or association.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of April, one thousand eight hundred and fifty-four.

No. 11.

## RESOLUTION

Relative to the claim of Campbell, Simpson and Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the Canal Commissioners be and they are hereby authorized to open and re-settle the account of Campbell, Simpson and company, for work done on the North Branch canal.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER





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# APPENDIX,

CONTAINING LAWS PASSED AT THE SESSION OF ONE  
THOUSAND EIGHT HUNDRED AND FIFTY FOUR,  
UPON WHICH THE TAX HAD NOT BEEN  
PAID, IN TIME FOR THEIR PUBLICA-  
TION IN REGULAR ORDER.

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## APPENDIX—1854.

No. 686.

### A N A C T

To incorporate the Pure Spring Water Company, of Fogelsville, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the present members of the Pure Spring water company, that is to say: Ephraim Troxell, Henry Kinckiner, Aaron Walbert, Nathan Klotz, Addison Erdman, Solomon Fogel, Henry J. Haberacker, John Erdel, William A. Helfrich, Simon Troxell, Edwin Kromlich and Henry Mehlhouse, together with such other persons as hereafter may be admitted as members thereof, in the manner hereinafter provided, their successors and assigns shall be and they are hereby made and constituted a body politic and corporate, in fact and in law, by the name, style and title of the Pure Spring water company, and by that name, style and title, shall have continued succession and shall be empowered with all the legal incidents to a corporation aggregate: *Provided,* That the real estate, by them to be held, shall be only such as shall accommodate the corporation in the transaction of the business thereof, or shall be taken and held in security for the payment of debts due to the said corporation, and that no by-law to be made by the said corporation shall be repugnant to the constitution of this State or of the United States, and the capital to be employed shall not, at any time, exceed twenty thousand dollars.

SECTION 2. That on the first Saturday in January next, and on the same day in each year thereafter, the members of said company, consisting of a president, secretary, treasurer and five managers, who, together, shall constitute a board, and any five of them form a quorum to transact the business of the company, and who shall continue in office one year and until successors shall be chosen, and in the event of a failure to elect on the day herein appointed, the election shall be held as soon thereafter as practicable, giving at least ten days notice of the time and place of election, and until the first election hereby authorized and until successors shall be chosen as herein directed, Solomon Fogel as president, Simon Troxell as secretary, Henry J. Haberacker as treasurer, and Ephraim Troxell, Henry Kinckiner, Addison Erdman, Nathan Klotz and Henry Mehlhouse as managers of the said company, with power to transact all the business hereafter enjoined by the by-laws on the officers of the corporation.

General meet-  
ings

SECTION. 3. That all general meetings of the company shall be held at such times and places as shall be provided for in the by-laws; and in all elections, and upon all questions, arising at a meeting of the stockholders, each stockholder shall be entitled to one vote for every share, *bona fide*, held by him, not exceeding four; and for every two shares above the first four, and not exceeding twelve, one vote; and for every four shares above the first twelve, and not exceeding twenty-eight, one vote; and for every eight shares above the first twenty-eight, and not exceeding one hundred, one vote; and no stockholder shall be entitled to more than twenty-one votes, and no votes by proxy shall be received, and five dollars shall constitute a share.

Powers of the  
board of  
managers.

SECTION 4. That the board of managers shall have power from time to time to erect and repair such works as shall be necessary, to supply a sufficient quantity of soft and pure water, to any building in the said village, of Fogelsville, and in case a deficiency in that first introduced from such stream or springs as may be fixed on, and purchased by said company for that purpose, by means of pipes, trunks or aqueducts, or other means, and, also, provide proper cisterns or reservoirs for the reception thereof; and for these purposes they may enter into such lands or enclosures as may be necessary to dig, ditch and lay pipes, and trunks through the same, doing as little damage as possible, to private property, and paying for whatever damage shall be done by them. In case the parties cannot agree, according to an assessment made under oath or affirmation, by three disinterested persons, to be appointed on application by the court of common pleas, in and for the county of Lehigh; and the president and managers shall at all times, paying damages as aforesaid, have the liberty to renew and repair the pipes and trunks which have already been laid, or which shall hereafter be laid on and through private property, and also have liberty at all times to dig and lay pipes or trunks along roads and highways, and along streets and alleys of the said village of Fogelsville, and to renew and repair the same, shutting up and amending any breach which they may respectively make, as soon as possible, and it shall be lawful for them to make cisterns and reservoirs, and to set hydrants in the street and public grounds, in the said village of Fogelsville, when it may be deemed necessary: *Provided*, That in all cases where the damages assessed in the manner provided for in and by this section, shall exceed the sum of one hundred dollars, either party may, within thirty days after such assessment shall be made, and notice thereof given to the parties, appeal to the said court of common pleas, of the county of Lehigh, and in every case in which such appeal shall have been taken, like proceedings may be had as in other cases in said court.

Proviso

Hydrants to be  
erected.

SECTION 5. That the board of managers shall, in such streets or parts of the said village, of Fogelsville, where pipes or trunks shall have been laid, erect hydrants, to be used for the purpose of extinguishing fires, and shall have liberty to supply or suffer individuals to be supplied with water, for domestic or manufacturing uses, for such reasonable compensation as shall from time to time be agreed upon by the said company, and said individuals according to certain uniform rates hereafter, to be adopted by said company, having regard to the probable quantity of water which applicants are likely to consume, and the said company shall have power to lease or rent out any surplus stream or water power that may be found to exist, after the purpose of



providing water for the inhabitants of Fogelsville shall have been obtained, and any person or person within the said village who shall take any of the said water for any purpose or use whatever, without having previously contracted for the same, with the said company, shall forfeit and pay for every such offence, the sum of three dollars to the said company, to be recovered before a justice of the peace, in the same manner as debts of equal amount are now recoverable: *Provided*, That Proviso. nothing herein contained shall be construed to compel the inhabitants of said village to use the water so introduced by said company, or to prevent them from using water obtained in any other way; and any person or persons who shall wilfully destroy or injure in any way the pipes, cisterns, aqueducts, reservoirs, machinery, buildings, hydrants or any of them, or any of the works of said company, or shall wilfully corrupt or otherwise render unwholesome, the water brought or conveyed, or to be brought or conveyed in the village of Fogelsville by the said company, or the stream or streams, spring or springs, from which the same is brought or to be brought, shall, upon conviction before a justice of the peace be deemed guilty of a malicious mischief, and be liable, moreover, to the company for damages sustained by such injury.

SECTION 6. That the company shall procure a common seal, Common seal. and the certificates of stock, and other official acts, shall be authenticated by affixing the same; and the president and managers shall procure certificates for all the shares of stock of said company, and shall deliver one such certificate, signed by the president, countersigned by the secretary, and seal as aforesaid, unto each person for the number of shares held by him or her, as soon as five dollars shall be paid on each share; and every such certificate shall be transferable in person, or by attorney duly authorized, in the presence of the president or secretary of said company, subject however to all payments due and to become due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company, to be kept for that purpose, shall be a member of the corporation, and possess and enjoy all the rights, privileges, benefits and emoluments to which he would have been entitled, if he had been an original subscriber.

SECTION 7. That the said company, whenever the debts of the Contingent fund. corporation shall have been paid, and the income shall exceed the expenses of the company, may, if deemed advisable, collect a contingent fund not exceeding one thousand dollars, or declare a dividend semi-annually, not exceeding ten per centum on the stock paid in, on the second Saturday of January and July in each year, and shall publish said dividend, and the place where it will be paid, and shall cause the same to be paid accordingly.

SECTION 8. That the Legislature reserves the right to alter, Reservation. amend or annul this charter at any time hereafter, should the public good require it: *Provided*, That no injustice shall thereby be done to the corporators.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 687.

## A N A C T

To incorporate the Anthracite Insurance Company of Philadelphia.

Corporators.

Style.

Privileges.

Capital stock.

Board of  
directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles Miller, E. A. Packer, Charles Sinickson, Richard Jones, John R. White, John Tucker, Lewis Audenried, George H. Potts, Samuel H. Rothermel, D. Luther, Brinton Jacobs, George F. Tyler, Joseph Maxfield, William F. Dean, E. Safford, John R. Blackiston, William P. Cox, Davis Pearson, Lewis P. Brooke, Thomas H. Riley, William M. Rogers, E. A. Hathaway, William Wallace, James M. Beatty, Samuel Sillyman, William T. Agard, James Taggart, William West, junior, B. Hammett, and such other persons as they may hereafter associate with them, their successors and assigns, be and they are hereby created, made and constituted a body corporate, in deed and in law, by the name and title of the Anthracite Insurance company, to be located in the city or county of Philadelphia, and by the said name and title shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record or elsewhere, and to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States or of this Commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do, for the well-being of said corporation and the due management and ordering of the affairs thereof.

SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each, to be paid for in such instalments as the board of directors of said company may determine, which said capital may, at any time hereafter, be increased by them, not exceeding six thousand shares, of fifty dollars each ; and if any subscriber or stockholder, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber or stockholder, his or her assignee or transferee, shall forfeit to the use of the company any and all his or her rights, title and interest in and to each and every share on which the payment shall not be duly made on account of the share or shares so forfeited ; or the directors may, at their discretion, cause suit to be brought in the name of the company, before any court of competent jurisdiction, for the recovery of the same, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.

SECTION 3. That the said company shall, as soon as convenient after the passage of this act, elect ten of their number to

be a board of directors, and annually thereafter, on the first Monday in January in each and every year, an election for the board of directors shall be held; and at all elections by the stockholders, each share of stock shall be entitled to one vote. No stockholder shall vote by proxy, nor shall any stockholder be entitled to vote, unless the share or shares held by him or her shall have been standing in his or her name, on the books of the said corporation, for sixty days previous to said election: *Provided*, That every stockholder, at the time of the first election of directors, shall have and enjoy the said privilege of voting as aforesaid. Proviso.

SECTION 4. That the corporate powers of the said company shall be exercised by the board of directors for the time being, and such officers and agents as they may appoint. Corporate powers.

SECTION 5. That the board shall appoint a president, vice president, secretary and treasurer of the company, and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation, to take bonds in the name of the corporation from all or any of them with security, conditioned for the faithful execution of their several duties, and who shall perform the duties of the respective offices until they shall have been re-elected, removed from office or their successors shall be chosen. Officers.

SECTION 6. That the said directors shall allow the persons so appointed such compensation for their services respectively, as they shall deem reasonable and right, and generally to exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation, as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of said corporation, in case of death or resignation of any director, the vacancy thereby shall be filled by the remaining directors. Compensation.

SECTION 7. That the said company shall be empowered to effect marine and inland insurance on vessels, boats, cargoes and freight, and on merchandize and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and also to take risks against fire on all kinds of merchandize, buildings and all other kinds of property, either limited or perpetual, and to cause themselves at any time to be wholly or in part re-insured as to any risk, and to execute such agreements, policies and other instruments as shall or may be necessary to effect the same, and it may be lawful for any and every person to insure marine, fire and inland transportation risk with the said company, and to become members of the said corporation and be entitled to a pro rata share of any profits which may be made by such insurance, to be declared and divided as the said board of directors may direct and determine, for which purpose shall have all the powers conferred on or exercised by the Mercantile Mutual Insurance company of Philadelphia. Marine and inland insurance.

SECTION 8. That it shall and may be lawful for the said company to employ and invest their capital stock and other moneys of said company, in bond and mortgages or real estate, ground, rents, stocks or loans of the United States and of the several States and in other good securities, and to sell and transfer the same and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchas- Employment and investment of capital.  
Proviso.



ing or holding any real or personal property, stocks or other securities in payment of debts due them, or to secure the same in any manner that the interests of said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same in fee simple or otherwise: *Provided*, That nothing herein contained shall authorize the company to use the funds of the company for banking purposes.

Provided

Company to receive notes and other securities.

SECTION 9. That the said company may from time to time receive notes or other securities, real or personal as premiums from persons intending to effect insurances therewith, or from any other person or persons under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred or conveyed by the said company, for the purposes of paying claims, for losses accruing in the course of its business, and on such portions of said notes or securities as may exceed the amount of premiums paid or agreed to be paid by the parties from whom the same may have been received, the said company may allow and pay such interest or other compensation not exceeding five per centum per annum, as may be agreed upon by the directors.

When members to be released from liability.

SECTION 10. That every stockholder or insured member, having paid the amount of his or their respective premium stock or subscription notes, or other debts due said company, shall be free from any liability or responsibility for, or on account of any and all losses and expenses which said corporation may at any time sustain or incur.

Perpetual, permanent or limited insurances.

SECTION 11. That perpetual or permanent, or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company.

Suits at law

SECTION 12. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the same is ascertained, and the company is duly notified of such losses; and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 688.

## AN ACT

To incorporate the German Evangelical Lutheran Ministerium of Pennsylvania, and adjacent States.

SECTION 1. *Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That William Baetis, John C. Baker, Augustus T. Geissenhainer, Charles W. Schaeffer, and the other members of the German Evangelical Lutheran Ministerium of Pennsylvania, and the adjacent States, as contained in their synodical minutes for the year one thousand eight hundred and fifty-three, and their successors, together with such lay delegates from the several pastoral charges comprised within the said synod, as may be from time to time appointed by the aforesaid charges in accordance with the rules and regulations of the said synod, shall be and are hereby constituted a body corporate under the name, style and title of "The German Evangelical Lutheran Ministerium of Pennsylvania, and adjacent States," and by that name shall have perpetual succession, be able and capable in law to sue and be sued, plead and be impleaded in the courts of this Commonwealth and elsewhere; to have and use a common seal; to make and establish such by-laws and ordinances as shall be necessary and proper for the regulation of the temporal concerns of the said ministerium, and for the promotion of religion by education, missions and otherwise: *Provided*, That nothing shall be done in pursuance of the powers and privileges hereinbefore granted repugnant to this act, to the constitution and laws of this Commonwealth, or to the usages, principles and doctrines of the German Evangelical Lutheran church, as expressed in its symbolical books, and more especially set forth in the Unaltered Augsburg Confession, and in Luther's Small Catechism.

SECTION 2. That all legacies heretofore granted to, and all property real, personal and mixed, now held by any person in trust for the German Evangelical Lutheran Ministerium of Pennsylvania, and the adjacent States, shall be and the same is hereby vested in the said the German Evangelical Lutheran Ministerium of Pennsylvania, and adjacent States, as fully as though such bequests had been made or such trusts executed to the said ministerium by its corporate style and title.

SECTION 3. That the said ministerium shall elect a senior, a president, a secretary and a treasurer, together with any other officers that may be necessary, at such times and places and to serve for such periods as may be ordered by its by-laws and regulations, and that the said ministerium may admit to its connexion and to participation in its privileges, upon examination or upon dismissal from other ecclesiastical bodies, such persons as it shall judge worthy to exercise the functions of the gospel ministry in its connexion.

SECTION 4. That the said ministerium and their successors, by the name and style aforesaid, shall be able and capable in

Corporators.

Style.

Privileges.

Proviso.

Legacies.

Officers.

Authority to hold lands.

Proviso.

law to purchase, receive, hold and enjoy all such lands, tenements, bequests, annuities and gifts of any kind whatsoever as may be at any time sold, conveyed, bequeathed, given or granted to it either absolutely or in trust, and have power to sell or otherwise dispose of the same: *Provided*, That the said corporators shall not at any time hold or absolutely possess property or estate real, personal and mixed, exceeding the annual value of twenty-five thousand dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 689.

## AN ACT

To incorporate the Mount Washington Inclined Plane Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Richard Cowan, John S. M'Millan, John D. Miller, W. O. Leslie, James Millengar, and their associates, successors and assigns are hereby created a body corporate, by the name, style and title of the "Mount Washington inclined plane company," and by that name shall have perpetual succession, and shall have all the powers and privileges incident to a corporation.

Officers.

SECTION 2. That the officers of said company shall consist of a president, treasurer and three managers, to be elected by the stockholders on the first Monday of November of each year; the first election to be held at any time within three months after the passage of this act: *Provided however*, That the persons, or any two of them named in the first section of this act, shall give at least five days' notice of the time and place of holding said first election.

Capital stock.

SECTION 3. That the capital stock of said company shall consist of five thousand dollars, to be divided into shares of fifty dollars each; and the said president and managers shall have power to construct one or more inclined planes, to run cars from any point or points on the river bank between the Monongahela bridge and Jones' ferry, in Allegheny county, to the brow of Coal hill, in the neighborhood of High street, and for all freight and packages carried on said inclined plane, to charge for each one hundred pounds, not exceeding three cents, and for each passenger, not exceeding five cents per trip; and the said company shall have all the powers and privileges, and be sub-

ject to all the provisions and restrictions mentioned in the seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections of an act of Assembly, approved the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, entitled "An act regulating railroad companies."

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 690.

## A N A C T

To incorporate the Mercer County Insurantee Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Griffith, Henry Forker, John C. Stewart, David Mowrer, A. J. M'Kean, and all other persons who may become members of said company in the manner herein prescribed, be and are hereby incorporated and constituted a body politic and corporate by the name and style of "Mercer County Insurance Company," for the purpose of insuring dwellings, houses, stores and other buildings, household furniture, merchandize and other personal property against loss or damage, whether the same shall happen by fire, accident or any other means, except by design of the insurer or by the invasion of any enemy or insurrection of the citizens of this or any of the United States, and by that name may sue and be sued, appear, prosecute and defend in any court of record or other court or place whatever, may have and hold a common seal, the same to alter and renew at pleasure, may hold such real estate as may be necessary to effect the objects of this corporation, and the same sell and convey at pleasure, may make and enforce such by-laws, the same not being contrary to the constitution or laws of this State or of the United States as may be necessary or convenient for the government or management of its affairs, and may do and perform all such acts and things as may be necessary to carry into effect the provisions of this act.

Corporators.

Style.

Privileges.

SECTION 2. That all persons who shall at any time be insured in said company, shall be members thereof during the continuance in force of their respective policies and no longer, and shall at all times be bound by the provisions of this act.

Membership.



Affairs how  
managed.

SECTION 3. That the affairs of said company shall be managed by a board of directors, to consist of not less than five members nor more than thirteen, as may be regulated by the by-laws of said company, the said directors to be chosen by ballot from among the members of said company, and a majority of the whole board shall constitute a quorum for the transaction of business, the persons named in the first section of this act shall be the first directors of said company, and shall continue in office until others may be chosen and no longer, which directors shall be elected on the first Monday of February of each year, such election shall be held at the office of the said company, at such hours of the day as the board of directors for the time being shall appoint, notice of which shall be given in one of the newspapers published in the borough of Mercer at least twenty days preceeding such election, and such election shall be holden under the inspection of two members not being directors, to be appointed previous to the election by the board of directors, such election shall be made by a plurality of votes of the members present or their proxies, allowing to each member one vote for each proxy, allowing to each member one vote for every two hundred dollars insured in said company, and the board of directors are hereby authorized at any of its meetings to provide a form for the apportionment of proxies, and to specify the evidence that may be required in the execution thereof.

Officers

SECTION 4. That the board of directors shall elect a president, vice president, secretary and treasurer from among their own number, who shall hold their respective offices for the period of one year and until others are chosen in their places, the board of directors may appoint an executive committee which when the board is not in session may exercise all the power vested in this company, except where the company has by its by-laws otherwise provided, the board of directors may appoint examiners, agents and such other subordinate officers as they shall deem necessary, who shall hold their office during the pleasure of the board.

Failure to hold  
election not to  
dissolve corpora-  
tion.

SECTION 5. That if it shall at any time happen that an election of directors shall not be made on any day, it ought to have been made pursuant to this act, the said corporation shall not be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors in such manner as shall have been regulated by the by-laws and ordinances of the said corporation.

Rates of insur-  
ance.

SECTION 6. That the rates of insurance shall be from time to time fixed and regulated by the company, and premium notes shall be received from the insured, which shall be paid at such time or times and in such sum or sums as the company shall from time to time require, for losses and expenses; any person applying for insurance so electing, may pay cash premium in addition to the premium note, of a definite sum of money, to be fixed by said company, in full for said insurance, and in lieu of premium note.

Applications for  
insurances may  
be divided.

SECTION 7. That said company may divide applications for insurance into two classes, according to the degree of hazard, the cash premium and premium notes received for insurance in each class, shall constitute the resources of that class, the accounts and business of each class shall be kept separate and entirely distinct, the cash premium and premium notes of one class shall never be used for the payment of the losses and expenses of the

other class or classes ; when there is a mutuality of expense as for office rent, advertising, et cetera, it shall be left to the discretion of the directors to specify the sum to be charged in each particular class.

SECTION 8. That if it should ever so happen that the whole stock and contribution of either class be insufficient to pay and satisfy all the losses in that particular class, in such a just average shall be made, and the payment to be demanded by virtue of any policy in that class shall be a dividend of such stock and contribution in proportion to the amount of loss; should there be an excess of funds, the directors shall have power to declare a dividend. Payment of losses regulated.

SECTION 9. That the cash premiums received by the said company for risks, in lieu of premium notes, shall be applied in payment of losses and expenses, before any assessment shall be made upon said premium notes, and the cash premiums together with the premium notes, shall constitute the capital stock of this company. Cash premiums.

SECTION 10. That when property insured by the company shall be sold or transferred, or otherwise disposed of, the policy thereupon shall be void ; but in such cases it shall be lawful for such insurer to assign and deliver to the purchaser or purchasers such policy of insurance, and such assignee or assignees shall have all the benefits of such policy, and may maintain a suit thereon, in his, her or their own names: *Provided*, That before any loss happens, he, she or they shall obtain consent, in writing, of the said company, to such assignment, and have the same endorsed or annexed to the said policy of insurance. When policy to be raised.  
Proviso.

SECTION 11. That whenever any assessment is made on any premium note given to the Mercer County Insurance company, for any risk taken by said company, or as consideration for any policy issued or to be issued by said company, and an action is brought for the recovery of such assessment, the certificate of the secretary of said company specifying such assessment, and the amount due said company on such note by means thereof, shall be taken and received as prima facie evidence thereof, in all courts and places whatsoever. Certificate of Secretary to be evidence.

SECTION 12. That the board of directors may invest and employ the funds of the said company, in such way and manner as the interest of the company may require; and the interest and profits thus acquired shall be used to promote the interest of the company. Investment of funds.

SECTION 13. The operations and business of said company shall be carried on in the borough of Mercer, Mercer county. Where business to be carried on.

SECTION 14. That there shall be no policy issued until application shall be made for insurance of twenty thousand dollars at least. When policy to issue

SECTION 15. That any thing by this act authorized or required to be done by the secretary of the company, may be done by the deputy or clerk of such secretary having charge of the office, with the consent of the board of directors, with the like effect, to all intents and purposes, as if done by the said secretary. Deputy to act in the absence of secretary.

SECTION 16. That the act shall take effect immediately after its passage, and any two persons named in the first section of this act may call the first meeting of the company for the transaction of business. When act to take effect.

Fiscal year.

SECTION 17. That the fiscal year of the company shall commence on the first day of January and end on the thirty-first of December in each year.

Reservation.

SECTION 18. That the Legislature reserves the right to repeal or annul the privileges hereby granted, if at any time they shall prove injurious to the citizens of the Commonwealth: *Provided however*, That no injustice be done to the corporators.

Banking privileges prohibited.

SECTION 19. That this corporation shall not exercise any banking privileges, or issue any certificate or other paper, to be circulated as bank paper: *Provided*, No bond shall be issued for a less sum than one hundred dollars.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 691.

## AN ACT

To incorporate the Hope Mutual Insurance Company of Philadelphia.

Preamble.

WHEREAS, Charles P. Massey, Gilbert S. Parker, William C. Ludwig, Christian E. Spangler, Henry R. Raiguel, George Clarkson, Samuel Allen, Alfred Horner, Solomon Alter, William R. Griffith, Martin Thomas, John Baird, Ferdinand J. Dreer, Wm. G. Williston, John M. Coleman, Sansom Perot, Jairus Baker, John W. Whetham, Charles L. Desaque, Thomas Helms, Edward G. James, F. A. Godwin, B. M. Bunker, Joseph B. Bussier, have associated themselves together for the purpose of making fire, marine and inland insurances, and transacting the business connected therewith, and have applied to the Legislature for an act of incorporation for said purpose; therefore,

Style.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the aforesaid persons, and those who may hereafter become associated with them, shall be known and styled as the "Hope Mutual insurance company," and by the same name have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish, and put into execution such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or the laws of

Privileges.



the United States, or of this Commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof.

Capital stock.

SECTION 2. That the capital stock of the Hope Mutual insurance company, shall consist of fifty thousand shares of ten dollars each, to be paid for in such instalments as the board of directors of said company may determine: and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made on account of the share or shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.

Affairs how managed.

SECTION 3. That the affairs of said company shall be managed by twenty-four directors, to be chosen annually. as is hereafter directed, on the third Tuesday in January, between the hours of ten A. M., and two P. M., from among such stockholders of said company, who shall hold at least twenty shares of stock; and the first annual election shall take place on the third Tuesday in January, one thousand eight hundred and fifty-five; the directors, for the time being, shall appoint a president, vice president, secretary, and assistant secretary of the company, and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation, to take bonds, in the name of the corporation, from all or any of them with security, conditioned for the faithful execution of their several duties, and who shall perform the duties of their respective offices until they shall have been re-elected, removed from office, or their successors shall be chosen: the said directors shall allow the persons so appointed, such compensation for their services respectively, as they shall deem reasonable, and generally to exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of said corporation; in case of death or resignation of any director, the vacancy occasioned thereby, shall be filled by the remaining directors.

Votes by ballot.

SECTION 4. That at all elections for directors, the vote shall be by ballot. Each share of stock shall have one vote, and each insured member, for any sum paid as a premium of insurance to said company, three months previous to and within the year preceding said election, amounting to ten dollars, one vote, and for every additional ten dollars paid as aforesaid, one vote. No stockholder or insurer shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name on the books of the said corporation for three months previous to said election: *Provided*, That every stockholder, at the time of the first election of directors, shall have and enjoy the said privilege of voting as aforesaid; and the first election of directors, shall be held at such time and place as the incorporators may direct, after the passage of this act; and the directors chosen at said election shall hold their offices until the first

annual election, as herein provided for, and until new directors shall be chosen.

Directors to be  
divided into  
classes.

SECTION 5. That at the first meeting of the directors after the first annual election, the Secretary shall take the names of the directors and divide them, by lot, into three classes: the term of office of the first class shall expire at the first annual election thereafter; the term of the second class shall expire at the second annual election thereafter; the term of the third class shall expire at the third annual election thereafter; and at the second annual election, and at every annual election thereafter the stockholders and others qualified to vote for directors by this act, shall elect eight directors, to hold office for three years, and when a vacancy, by death, resignation, or otherwise occurs such vacancy shall be filled at the next annual election of directors, for the unexpired term of such director or directors.

Risks against  
fire, &c.

SECTION 6. That the Hope Mutual insurance company shall be empowered to take risks against fire, on all kinds of merchandize, buildings or other property, either limited or perpetual; and further, to effect marine and inland insurance on vessels, cargoes and freights, and on merchandize and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and to execute such agreements, policies and other instruments as shall or may be necessary to effect the same; and it may and shall be lawful for any and every person to insure marine, fire and inland transportation risks with the said company, and to become members of the said corporation, and be entitled to a pro rata share of any profits which may be made by such insurance, to be declared and divided as hereinafter directed by the provisions of this act.

Employment of  
capital.

SECTION 7. That it shall and may be lawful for the said company to employ and invest their capital stock and other moneys of said company, in bonds and mortgages, or real estate, in respondentia, bottomry, ground rents, stocks or loans of the United States and State of Pennsylvania, and in other good securities, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stocks, or other securities, in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same in fee simple or otherwise.

Provided.

Banking privileges  
prohibited.

SECTION 8. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper.

Balance to be  
struck.

SECTION 9. That the directors shall on the first Tuesday in January in each and every year, cause a balance to be struck of the debts and credits of the company, and if there shall be a surplus after paying losses and expenses for the year preceding the same, they shall first set aside out of the said surplus a sum not exceeding one dollar per share on the amount of capital stock subscribed, and the remainder of the said surplus shall be divided among the stockholders and insured members, in proportion as their respective amounts of stocks held or premiums



determined may bear to the collective sum of stock and premiums aforesaid.

SECTION 10. That within thirty days after the annual balance aforesaid of the said company shall be struck, the directors shall cause to be paid to the stockholders in cash, a sum not exceeding one dollar per share on the capital stock subscribed, if their surplus amounts to so much, and for the remainder they shall issue the company's certificate to such insured members and stockholders, agreeably to the provisions of the last section, stating the amount of such surplus which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend, not exceeding six per centum, to be paid out of the profits thereafter declared by the company.

Amount to be paid to stockholders.

SECTION 11. That the profits of said company shall in no case be withdrawn except as herein provided, but shall remain liable to all losses and expenses thereof; such liability to be expressed on the face of said certificates, and the president and directors shall have, in case of loss, the power to declare a pro rata deduction of the amount of the outstanding certificates and issue new ones in their stead, less the pro rata deduction, and no dividend shall be declared nor certificate issued nor interest paid, either to stockholders or certificate holders, when the capital stock shall be impaired, nor shall any dividend be paid on certificates of surplus profits until the said dividend on the stock of the company be first provided for.

Profits.

SECTION 12. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars, but all such fractional parts or sum or sums less than ten dollars, shall be passed to the credit of the stockholders of the company, and the said certificates shall not be transferable, except on the books of the company, and a transfer book shall be kept for that purpose; no certificate shall issue to any person who is indebted to said company, and no transfer shall be permitted so long as the holder is indebted to said company; certificates shall be subject to and bound by any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under execution issued on said judgment as any other species of personal chattel; no certificate shall issue unless claimed within two years after the declaration of the dividend whereof it is evidence, but the amount thereof shall at the expiration of that time, be carried to the credit of the stockholders of the said company.

Certificates not to issue for less than ten dollars.

SECTION 13. That every insured member or certificate holder having paid the amount of his or their respective premiums, premium notes, subscription notes or debts due said company, shall be free from any liability or responsibility, for or on account of any and all losses and expenses which said corporation may at any time sustain or incur.

Release of liability.

SECTION 14. That the said company may, from time to time, receive notes or other securities, real or personal, as premiums from persons intending to effect insurance therewith, and also for the payment of stock subscribed, and from any other person or persons under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred or conveyed by the said company, for the purpose of paying claims for losses accruing in the course of its business, and on such portion of said notes or securities as may exceed the amount of premiums paid or agreed to be paid by the parties from whom the same may have been received;

Company may receive notes, &c.



the said company may allow and pay such interest or other compensation, not exceeding six per centum per annum, as may be agreed upon by the directors.

Perpetual, permanent or limited insurances.

SECTION 15. That perpetual or permanent, or limited insurances may be taken without the parties thereto becoming members or being entitled to any part of the profits of said company.

Suits at law.

SECTION 16. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses, and no member of the corporation not being in his individual capacity a party to such a suit shall be incompetent as a witness.

Excess, how applied.

SECTION 17. That when the net profit or surplus remaining in the possession of the company shall exceed the sum of five hundred thousand dollars, the excess may be applied to the redemption of the certificates issued by the company, in such manner and at such times as the directors thereof may deem proper and expedient, and all claim or right to any interest or dividend on said certificates shall cease after two week's notice, published in two of the daily papers of the city of Philadelphia, that the company will redeem the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 692.

## AN ACT

To incorporate the Schuylkill Haven Union Cemetery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Gideon Bast, Charles Dengler, John D. Deibert, Benjamin Delong, Abraham Boyer, Isaac Kupp, Levi Shieff, Andrew Keefer and William Fisher, be, and they and their successors are hereby created a body politic in law, under the name and title of the Schuylkill Haven Union cemetery, with all the powers, privileges and immunities contained in an act, entitled "An act to incorporate the Meadville cemetery," approved the eleventh day of March, Anno Domini, one thousand eight hundred and fifty-two.*

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 693.

## A N A C T

To incorporate the Eulalia Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Coudersport academy in the county of Potter, are hereby authorized to convey to the trustees of the Eulalia cemetery hereinafter named, five acres of land situate in the township of Eulalia, and being a part of a tract of land conveyed by John Keating to said trustees for school purposes, and upon which a burial ground has been commenced, and to execute to the trustees and managers of said cemetery a deed of conveyance in fee simple.

Certain lands to  
be conveyed to  
trustees.

SECTION 2. That Samuel M. Mills, T. B. Tyler, Samuel Havens, Henry Olmstead, F. W. Knox, H. H. Dent, Eli Reed, Lucas Cushing, Miles White, John S. Mann, Charles S. Jones, Amos French, Alva Taggart, Nelson Clark, John Reckhow, Jacob Reckhow, Lewis B. Cole, S. Ross, J. M. Hamilton, Timothy Ives, D. T. Hall, — Stebbens, A. H. Butterworth, J. W. Smith, C. W. Ellis, F. W. Maynard and their successors, be and they are hereby made a body corporate and politic in law by the name, style and title of the Eulalia Cemetery company, and by that name shall have perpetual succession to sue and be sued, in any court of law or equity, and may have and use a common seal and the same at their pleasure to alter or renew, and shall have power to purchase, have, hold and enjoy to them and their successors the aforesaid piece of land with such other real estate as they may require for the purpose of establishing said cemetery: *Provided*, That the whole quantity of land to be held by them shall not exceed twenty acres, and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the objects of this act.

Corporators.

Style.

Proviso.

SECTION 3. That the affairs of said corporation shall be conducted by a president and four managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of March next, and on the first Monday of June in each and every year thereafter, and in case no election shall be held at the time aforesaid, the officers of the preceeding year shall continue in office until an election shall be held, the said president and managers shall fill all vacancies which may occur in their own body, by selecting a lot holder to supply any such vacancy occurring by resignation, removal, death or otherwise, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers and fix their several duties and compensation, to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot holders

Affairs how  
conducted.

and visitors to the cemetery and for the transfer of lots and the evidence thereof.

SECTION 4. That every lot conveyed in such cemetery, shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment or execution; and all the grounds held by the company hereby incorporated and actually enclosed, laid out and used for burial purposes, shall be exempted from all taxation while so used for purposes of sepulture.

When lot holders  
may become  
members.

SECTION 5. That as soon as the money received from the sale of lots in said cemetery, shall be sufficient to pay the expenses that shall have been incurred in laying out, enclosing and improving the grounds and erecting the necessary buildings, then each lot holder shall become a member of the corporation, and have a right to vote for the officers thereof; and at all elections held thereafter under this act, each member of the corporation shall be entitled to one vote and no more: *Provided*, That all the money raised thereafter from the sale of lots, shall be expended in improving, repairing and maintaining said cemetery: *And provided further*, That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be managers of the corporation.

Proviso

Proviso

Repeal.

SECTION 6. That the first section of the act, approved the twenty-fifth day of March, one thousand eight hundred and fifty, authorizing the trustees of the Coudersport academy to convey certain real estate, is hereby repealed.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN;  
*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 694.

## AN ACT

To incorporate the Honesdale Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same*, That R. L. Seeley, Henry Dart, F. H. R. Tracy, R. F. Lord, James R. Dickson, W. H. Dimmick, Isaiah Snyder, Wm. Crane, H. B. Hamline, E. W. Hamline, F. M. Crane, F. B. Penniman, H. B. Beardslee, R. M. Grinnell, their associates and successors be, and the same are hereby made and constituted a body politic and corporate, by the name and style of the Honesdale Gas company, and by said name they and their successors shall and may

Corporation.

Style.



have perpetual succession, and shall be in law, capable of suing <sup>Privileges.</sup> and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation, as hereinafter declared, and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease or purchase in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute obligations for the liabilities created in the transaction of the said business of the corporation, and for none other.

SECTION 2. That the said corporation shall have authority to supply with gas <sup>Gas to be supplied.</sup> light the borough of Honesdale, in the county of Wayne, and such persons, partnerships and corporations residing therein, as may desire the same, at such price as may be agreed on, and also to make and erect within said borough the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys and highways, and impairing the free use thereof, as little as possible.

SECTION 3. That the capital stock of said corporation shall <sup>Capital stock.</sup> be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed seventy-five thousand dollars, as the directors thereof, shall deem necessary, for all which said stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable at pleasure, by the owner thereof, or by attorney, duly authorized for that purpose, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation.

SECTION 4. That the management and control of said corporation shall be vested in the persons named in the first section of <sup>Management and control of corporation.</sup> the act, until the first Monday in May, Anno Domini, one thousand eight hundred and fifty-five, at which time the stockholders shall meet at such place as they shall determine upon, and elect from among their number three managers, to serve for one year, and until their successors shall be duly elected, which shall be annually, on the first Monday in May, thereafter, said managers shall have power to select a president, a secretary and a treasurer, to serve for the same term, and the manner of conducting said elections shall be prescribed in the by-laws of said corporation, and at all elections the stockholders shall be entitled to one vote for each share bona fide, held and owned by him, at the time of holding said election.

SECTION 5. That the board of managers of this corporation <sup>By-laws.</sup> shall have power to make by-laws not inconsistent with the laws of this Commonwealth, and shall keep minutes of all their proceedings, which shall at all proper times be open to the inspection of the stockholders, and do all such acts and things, for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Monday in January

of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Penalty for opening communication into gas main, &c.

SECTION 6. That if any person or persons shall open a communication into the gas-main or other gas pipes of said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer of the company, or refuse to permit the proper officer of the corporation, at proper times and under proper circumstances, to inspect the pipes, metre, burners, et cetera, put up in any building, he, she, or they, so offending, shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered before any justice of the peace, one half to be paid to the informer and the other half to the borough of Honesdale, for the use of said borough.

Penalty for injury to works.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction, works, gas pipes, gas post, burner, or any other matter or thing appertaining to the same shall be obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be thereof indicted in the court of quarter sessions of the county of Wayne, and on conviction shall be punished by fine not exceeding five hundred dollars, or imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That said criminal prosecution shall not in any way impair the right of said company to a full compensation in damages, in a civil suit or actions.

Proviso.

Repair of openings.

SECTION 8. That said company shall, without unnecessary delay, refit, repair, and restore to good and safe condition, all openings made in any of the streets, lanes and highways of the said borough, occasioned by the laying, refitting or examining their pipes, or for any other purpose, at the expense of said company and to the satisfaction of the town council of said borough; and on failure to do so, shall forfeit and pay to and for the use of the borough, with full costs, such a sum of money as may be necessarily expended by the town council in refitting and restoring the same; and the said company shall furnish all gas required or used for lighting up any or all of the streets, alleys or squares of said borough, at a deduction of five per centum from the rates charged to property holders and others by said company.

Gas not to be stopped off only on certain conditions.

SECTION 9. That it shall not be lawful for the said company to stop off the gas from any consumer, except for the purpose of repairs or unavoidable accident, who is willing to pay and who tenders the amount due to the company by said consumer, for gas already consumed, according to the established rates, under the penalty of five dollars, to be recovered, for the use of the person injured, as debts of like amount are by law recoverable; and the privileges granted by this act shall be exclusive only upon condition that the said company shall continue, without unnecessary interruption, to supply said borough and the inhabitants thereof with good and sufficient light, from the gas manufactured by said company, at the rates hereinbefore mentioned: *Provided, nevertheless*, That said company shall not

Proviso.



be required to lay down pipes for conveying gas to any portion of said borough, unless, in the opinion of the directors, such portion contains a sufficient number of consumers to warrant the expense.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 695.

## A N A C T

To incorporate the Brandywine Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Nathan Dorlan, Joseph M'Ilduff, J. King Greer, Charles Brooke, Samuel Hatfield, C. P. Morton, Moses Marshall, A. Gibbons, junior, S. B. Worth, Doctor Charles Huston and Hugh E. Steele, of the county of Chester; Edward Brooke, and Levi B. Smith, of the county of Berks, their associates, successors and assigns be and they are hereby created and erected into one body politic and corporate, by the name, style and title of "The Brandywine railroad company," with the power and for the purpose of constructing a railroad, with one or more tracks, from a point on the State line, between the States of Pennsylvania and Delaware, at or near where the Brandywine creek crosses the same, by the best and most practicable route to Coatesville, in the county of Chester; thence through or near Springfield, in the same county, to the Birdsborough iron works, in the county of Berks, or such other suitable point on the Philadelphia and Reading railroad, as may be deemed most advisable, with the right and privilege to connect the same with the said Philadelphia and Reading railroad; the Lancaster, Lebanon and Pinegrove railroad; the Philadelphia and Columbia railroad, or any other railroad which it may intersect, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, so far as the same are not altered or supplied by the provisions of this act.

Corporators.

Style.

Privileges.

Route.

Subject to provisions of certain act

SECTION 2. That the said company be and they are hereby authorized to pay to the shareholders entitled to receive the same, in the months of January and July of each year, interest at the rate of six per centum on all instalments paid, and continue to pay interest upon the same until the said railroad shall

Payment of interest



Proviso.

be completed, and that all the freight and earnings of said railroad shall be credited to and all interest thus paid shall be charged to the cost of construction: *Provided*, That interest shall not be paid upon any shares of stock upon which any instalment has become due and remain unpaid.

Capital stock.  
Proviso

SECTION 3. That the capital stock of said company shall consist of twenty thousand shares of fifty dollars each: *Provided*, said company may increase their capital stock so much as in their opinion may be necessary to complete the said road, and carry out the true meaning of this act-

Commencement  
and completion of  
road.

SECTION 4. That if said company shall not commence the construction of said road within three years and complete the same within seven years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 696.

A N A C T

To incorporate the Susquehanna Mutual Life Insurance Company of Harrisburg.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James W. Weir, Doctor E. W. Roberts, William Colder, junior, John C. Kunkle, O. Bellman, Stephen Miller, Charles F. Muench, Samuel W. Hays, J. R. Eby, George P. Weistling, James Peacock, R. A. Lamberton and Daniel D. Boas, and all other persons who may hereafter be associated with them in the manner hereinafter provided, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the "Susquehanna Mutual Life insurance company of Harrisburg," and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattles of whatsoever kind, and choses in action, and the same sell and dispose of from time to time; and also to make and have a common seal, and the same to alter and renew at pleasure; and also to make, ordain, establish and put in execution such by-laws, ordinances

Privileges.

and regulations, as shall appear necessary and convenient for the government of the corporation, and for the management of its property and the regulation of its affairs, not being contrary to this charter, and the laws of this Commonwealth, or of the United States; and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well being of said corporation.

SECTION 2. There shall be an original guaranty capital stock, Capital stock not to exceed one hundred, nor less than fifty thousand dollars, to be divided in shares of fifty dollars each; and there shall be paid into the treasury of said corporation, by each subscriber to the said guaranty capital at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, and the remaining sum due on each share, shall be paid in such instalments, and at such times as the financial condition of the company shall require, to enable it to liquidate all claims or demands upon the treasury for losses or expenses; such instalments to be equally assessed on all stock so subscribed for; all instalments to be paid within thirty days after notice of the same by the directors; the directors shall have power to require security on all stock subscribed for, if they deem it expedient for the safety of the company; and generally, to adopt that course they think best calculated to advance the interest of the institution.

SECTION 3. The corporation hereby created, shall have the Power to insure power to insure the lives of the stockholders of said company, as well as all other persons, who shall make application for that purpose, and to make all and every insurance appertaining to or connected with life risks, of whatsoever kind or nature, and to receive and execute trusts, to make endowments, and to grant and purchase annuities; and it shall be lawful for any married woman, by herself, and in her name or in the name of any third person, with his assent, as her trustee, to cause to be insured for her sole use, the life of her husband, for any definite period, or for the term of his natural life, and in case of her surviving her husband, the sum or net amount of the insurance becoming due and payable, shall be payable to her, to and for her own use, free from the claims of the representatives of her husband or any of his creditors, and in case of the death of the wife, before the death of her husband, her amount of insurance may be made payable after her death, to her children, for their use, or to their guardian, if under age.

SECTION 4. All the corporate powers of said corporation shall Board of directors be exercised by a board of directors and such officers and agents as they may appoint, the board of directors shall consist of at least eight persons to be elected from among the stockholders, they shall annually elect from among the members of the corporation a president and vice president, who shall continue in office for one year or until others are elected in their place, and the directors shall have power to declare by by-laws what number of directors less than the whole shall form a quorum for the transaction of business.

SECTION 5. All persons who shall hereafter insure with said company, shall become members during the period they shall remain insured by said company and no longer, and shall be entitled to one vote at all election for officers of said corporation. Membership

SECTION 6. Every person shall become a member of this corporation by effecting insurance therein, shall pay such rates of Membership created by effecting insurance.



premiums as shall be fixed upon and determined by the directors before he receives his policy, no member so insured shall be liable for any losses or expenses of said company, beyond the amount of his or her premium so paid to said corporation.

Dates of premiums.

SECTION 7. The directors may determine the rates of premiums and terms of insurance, and the sum to be insured from time to time as they may deem expedient.

Investment of capital.

SECTION 8. It shall be lawful for said corporation to invest its capital, premiums or profits in bonds, mortgages, ground rents, stocks and loans of the United States and in such way as the directors may deem it most expedient, and to sell, transfer and change the same and reinvest the funds of said corporation when the directors may deem it proper.

Statement of affairs.

SECTION 9. The directors shall on or before the first Monday in January of each year, cause a statement of the affairs of the company to be made and a balance to be struck of the profit and loss account, and if there shall be any ascertained profits or surplus after paying all losses and expenses of the company, for the preceeding year and providing for outstanding risks, the directors shall first set apart said profits and divide therefrom, among the subscribers to the guaranty capital, a sum not exceeding six per centum per annum on the stock held by them: *Provided*, So much of said profits remain after paying said losses and expenses and providing for said risks, and in case there is not sufficient remaining as aforesaid, to pay aforesaid dividends of six per centum to the stockholders in any one year, the same may be made good and payable at a subsequent period when the net resources of the company shall be sufficient for that purpose.

Part of profits to be applied to paying off capital stock

SECTION 10. After providing for all risks, losses, incidental expenses and dividends, as specified in the preceding sections, then a moiety or half part of the remaining profits and surplus, if any there be, may be reserved by the directors, and applied by them towards paying off the capital stock, which shall have been subscribed, before striking off the balance of the affairs of the corporation as aforesaid, and the other moiety or half part of said remaining profits and surplus may be divided among the persons insured, according to their respective interests, but no dividend whatever, shall be made, whereby the capital stock of the said corporation shall be reduced or impaired, only as provided for above.

Amount due to deceased stockholders to be paid to legal representatives.

SECTION 11. In case of the death of any stockholder or person insured, the amount standing to his or her credit, if any, shall be paid over to his or her legal representatives within sixty days after satisfactory proof of the same, the profits and dividends of such stockholders and persons insured, as have ceased to comply with the rules and regulations of the company, by non-payment of premiums, or a renewal of the policy of insurance, shall be forfeited to the use of the company.

General balance statement.

SECTION 12. Within thirty days after the first Monday in January, one thousand eight hundred and fifty-five, and annually thereafter, the directors of said company shall cause to be made a general balance statement of the affairs of said company, which shall be entered in a book prepared for that purpose; such statement shall contain:—

1. The amount of premiums received during the previous year, and the amount of interest received from investment and loans.

2. The amount of expenses for the same period.



3. The amount of losses incurred within the same term.

4. The balance remaining with the said company.

5. The nature of the securities in which the said balance is invested, and the amount of cash on hand, also a full account of existing policies; and the directors shall cause the said statement to be published at least in one newspaper published in Harrisburg, for two weeks.

SECTION 13. The business of the said corporation shall be carried on at such place in the borough of Harrisburg, as the directors shall direct, and at such agencies out of Harrisburg as they may establish, and the first meeting of this corporation shall be held as soon as practical after the passage of this act, at which time at least eight directors shall be elected by ballot, also a president and vice president, to serve until the end of the financial year, or until others are elected in their place; the said directors shall pass all by-laws, rules and regulations necessary for the good government of the affairs of the company; they shall determine the rates of insurance and the amount of each risk; they shall have the power of calling meetings and fixing stated periods for the same; also to appoint such officers, agents, and clerks, and fix the salaries of the same, as they shall deem necessary and expedient for the transaction of the business, and for the good of the corporation.

SECTION 14. If any director, officer or other person connected with the institution shall fraudulently embezzle or appropriate to his own use, or to the use of any other person, any money or other property belonging to said institution, or left with it as a special deposit or otherwise, he or they upon conviction thereof in the court of quarter sessions, shall be fined in a sum not less than five hundred dollars, and be sentenced to and undergo an imprisonment in the penitentiary or county prison for any term not exceeding two years, at the discretion of the court: *Provided*, That this conviction shall not prevent any person aggrieved from pursuing his or her civil remedy against such person or persons. Penalty for embezzlement.

SECTION 15. Every person who shall subscribe to the capital stock of this company, shall be liable for the amount of his, her or their stock so subscribed, and the amount of premiums paid by them for insurance, and no further. Liability.

SECTION 16. The board of directors may fill vacancies in their body, occasioned by death, resignation, removal or refusal to act; the said appointments to continue until the next annual election of directors. The election for directors shall be held on the first Monday of January in each year, at such place in the borough of Harrisburg, and at such an hour in the day as the directors shall designate, of which time and place the Secretary shall give notice, at least two weeks previous, in one or more newspapers published in Harrisburg; and the directors shall appoint three persons, from among the stockholders, to conduct said election; such election shall be by ballot, and a plurality of votes given shall elect; each share holder shall be entitled to vote, as follows: for one share, one vote; for three shares, two votes; for six shares, three votes; for ten shares, four votes; for sixteen shares, five votes; for twenty-five shares, six votes; for thirty-five shares, seven votes; for fifty shares, eight votes; for seventy-five shares, nine votes; for one hundred shares and upwards, ten votes. Absent stockholders may be represented by proxy. Vacancies

Suits may be  
maintained.

SECTION 17. Suits at law may be maintained by the said corporation against any of its members, for any cause relating to the business of said corporation; also, suits at law may be prosecuted and maintained by any member against the said corporation, for losses by death, if payment is withheld more than three months after the company has received satisfactory proof of such losses; and no member of the corporation shall be debarred his testimony as a witness in any case, on account of his being a member of the said company; and no member of the said corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness in any such suit, on account of his being a member or an officer of said company.

Eligibility to  
office.

SECTION 18. No person shall be eligible to the office of director, secretary, treasurer or actuary, who is not a stockholder in said corporation; all officers, agents, clerks and physicians of the company must effect insurance on their life, or on the life of some other person in this company, for such amount, and for such length of time, as the by-laws may require.

Banking privi-  
leges prevented.

SECTION 19: That nothing contained in this act, shall be construed to allow said corporation to exercise any banking privileges whatever.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 697.

## A SUPPLEMENT

To an act entitled "An act to incorporate the Northwestern Mutual Insurance Company of Pennsylvania."

Change of name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Northwestern Mutual Insurance company of Pennsylvania shall hereafter be known as the Northwestern Insurance company, and by that name shall have perpetual succession and shall have power to insure all kinds of property against loss or damage by fire or any cause or risk, to insure goods and chattles in course of transportation or otherwise, and to take risks on any boat, vessel or other water craft, and to make such contracts of insurance as may in the discretion of the directors be needful to protect the said company against loss, damage and risks in the course of their business.*

SECTION 2. That it shall be lawful for the said company to invest any part of their funds, money or other property in any public stocks or funded debts created or which may hereafter be created, by or under any law of either of the States or of the United States, and the same to sell, transfer or exchange at pleasure, or the said company may loan such monies on individual or corporation or real estate security, or deposit the same with any banking institution with or without interest, for such time and under such restrictions as the directors may see proper: *Provided*, That all acts which the said directors are authorized to do shall be as valid if performed by a majority of them, or by a committee appointed by the board at a meeting called for that purpose, and to be called an executive committee, as if performed by them all at a full meeting of the board.

Investment of funds.

SECTION 3. That any officer, director or agent of said company who shall embezzle the funds of said company entrusted to his care, or who shall practice any fraud upon the said company, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be imprisoned in the jail of the county where such conviction shall be had, or in the penitentiary for a term not exceeding one year, and shall pay a fine not exceeding one thousand dollars: *Provided*, That such conviction and sentence shall not prevent the company from pursuing the ordinary civil remedy against such person or persons.

Punishment for embezzlement of funds.

Proviso.

SECTION 4. That in case of any vacancy happening in the board of directors by the death, resignation or removal of any director, it shall be lawful for the board to supply the vacancy by the election of another person to fill the unexpired term; that nothing contained in this act shall be construed to authorize any banking privileges, or to issue any certificate or other paper to be circulated as bank paper.

Vacancies.

SECTION 5. That the Legislature hereby reserves the right to alter or amend this act doing no injustice to the corporation.

Reservation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. MCASLIN,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER

No. 698.

## A N A C T

To incorporate the Allegheny Wharf and Land Company, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Allegheny Avenue Wharf and Land company, incorporated*



by a decree of the court of common pleas, of the county of Philadelphia, made the nineteenth day of September, Anno Domini, one thousand eight hundred and fifty-three, shall have power to erect upon the property belonging to them, situate on the river Delaware, a wharf or wharves, with piers, bulkheads, slips, sluices and docks, in accordance with the rules and regulations of the board of wardens, of the port of Philadelphia, and to let, demise, sell, dispose of, and convey to their stockholders or others, the whole or any part of their said property, and to confirm unto the purchasers their title to the same, and all the rights, powers, privileges and franchises, conferred upon the said company by the said decree of the said court are hereby confirmed.

SECTION 2. That the Allegheny Avenue wharf and land company are hereby authorized and empowered to borrow money, on the faith and credit of the said company, at a rate of interest not exceeding six per centum per annum, and to issue bonds therefor: *Provided*, That the amount of said bonds outstanding shall not at any time exceed twenty thousand dollars, and that no bond of a less denomination than one hundred dollars shall be issued.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 699.

## AN ACT

To annul the Marriage Contract between Isaac Sampson and Ann Sampson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the marriage contract entered into between Isaac Sampson and Ann Sampson, both of Washington county, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from the duties and obligations arising therefrom, as fully, effectually and absolutely as if they never had been joined in marriage.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 700.

## AN ACT

To incorporate the Central Saving Fund Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Rawle, John M. Scott, Francis R. Wharton, S. Morris Waln, John K. Mitchell, M. D., Singleton A. Mercer, John R. Wucherer, Thomas S. Taylor, William Martin, John R. Wilmer, Stephen H. Brooke, Henry L. Elder, Frederick Brown and William A. Porter, together with any three additional persons whom they, or a majority of them, may select and appoint, and their successors, be and they are hereby created and made a body politic and corporate in deed and in law, by the name, style and title of the "Central Saving Fund society," and that the said the Central saving fund society shall have, possess, and enjoy all the powers, immunities and privileges, and be subject to all the liabilities and obligations which are conferred and imposed by the act incorporating the Philadelphia saving fund society, passed the twenty-fifth day of February, Anno Domini, one thousand eight hundred and nineteen, and the supplements thereto: *Provided*, That it shall and may be lawful for the said the Central saving fund society to receive deposits, from any one person, to the amount of five hundred dollars in one year: *Provided also*, That the institution shall be conducted by not more than seventeen managers, and that no appointment or removal shall take place when a less number than nine managers are present.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 701.

## AN ACT

To incorporate the Town Hall Association of Summit Hill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Merit Abbott, William Sallen, Robert A. Abbott, George Bel-  
Corporators.

	ford, William Boyd, Eli T. Conner, Elijah D. Cooper, George H. Daugherty, James Finley, Abram Harris, William Johnson, George Kline, John Liesenring, Descon Lewers, James M'Lean, junior, William M'Laughlin, B. R. M'Connel, William M. Keiver, Samuel M'Heal, Thomas M'Laughlin, Robert M'Michael, Henry M'Cracken, John M'Keiver, Evan Philips, John Patrick, William D. Philips, William L. Patterson, Valentine Rickert, Richard Sharpe, Christian Stuart, William Sharpe, N. Vanhorn, Francis Weiss, A. J. Winterstein, Jno. Walton, Justus G. Walton, George Whiteneck, Philip Winterstein, Joseph Zehner and Frank Zehner, and their successors, and all persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic in deed and in law, by the
Style.	name, style and title of "The Town Hall Association of Summit Hill," in the county of Carbon, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in any court of law or equity, and to take and hold to them and their successors, either by grant, gift or devise, or
Privileges.	lease any lands or real estate, for the purpose of erecting thereon a suitable building or buildings for the use of the said association, any goods or chattels, sum or sums of money by gift, grant, bargain, sale, will or bequest from any person or persons whosoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of the said corporation; and to borrow any sum or sums of money for the purpose of said association, not exceeding two thousand dollars, and generally to do all and singular the matters and things which shall be lawful for them to do, for the well being and due
Proviso.	management of the affairs of said association: <i>Provided</i> , That the real estate of which the said corporation shall be at any time possessed, shall not exceed the clear yearly value of five hundred dollars.
Duties of commissioners.	SECTION 2, That the persons hereinbefore named are hereby appointed commissioners to do and perform the several acts and things hereinafter mentioned, that is to say, they or such of them as shall act in the premises, (not less than three,) shall as soon as conveniently may be, and within six months next after the passage of this act, procure and open a suitable book or books at such time and place as they may designate in the village of Summit Hill, (of which time and place due notice shall be given,) in which book or books they shall enter as follows: We whose names are hereunto subscribed, do promise to pay to the trustees and company of the Town Hall association of Summit Hill, five dollars for each and every share of stock set opposite our names, in such manner and proportions, and at such times as shall be determined by the trustees of said association: witness our hands and seals, this ——— day of——, one thousand eight hundred and fifty-four.
Meeting of stockholders.	SECTION 3. That the said commissioners or at least five of them, acting in the premises aforesaid, shall, as soon as conveniently may be, after sufficient of stock has been subscribed for, to procure a site and erect suitable buildings, appoint a time and place for the subscribers to meet, in order to organize the said association, and the subscribers when met shall by ballot, elect by a majority of the voters present, five trustees, citizens and residents of said village of Summit Hill, to conduct and manage the affairs and business of the said association, until the first Monday of January, of the next following year, and



until others are chosen, and shall annually thereafter, at such time and place as the by-laws of said association shall provide, elect five trustees to serve as aforesaid; and the three commissioners first named shall be judges of the election of trustees, and the judges of all future elections shall be appointed by the trustees, for the time being, and notice of such elections shall be given in such manner as the by-laws shall provide.

SECTION 4. That in the event of any of the subscribers refusing or neglecting in any wise, to comply with the terms of subscription, for the space of sixty days after they shall have been respectively notified thereof, they shall forfeit the money or instalments already paid in by them, respectively, which shall enure to the benefit of the said association, and the trustees are hereby authorized to sell and dispose of such forfeited stock in such manner as they may determine, as if the same had never been issued or sold. Stock when forfeited.

SECTION 5. That the object of said association shall be to provide, erect and furnish a hall, or suitable building or buildings, in the village of Summit Hill, for the accommodation of public meetings, lectures, exhibitions, entertainments, and for the meeting for drill and a safe deposit of the arms and equipments of the Carbon Guards, and for other purposes, not inconsistent with or to the hinderance of the forgoing. Object.

SECTION 6. That it shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew as they shall think proper, and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and as herein expressed. Seal.

SECTION 7. That the trustees for the time being, or a majority of them, shall have power to elect a president from their own body, to elect a treasurer and secretary, and to appoint such other officers and agents as they may deem necessary to execute the business of the association, to fix their compensation, and in their discretion to dismiss them, and to pass all such by-laws as shall be necessary to the exercise of said powers, and of other powers vested in said association, and the said by-laws, from time to time to alter, amend and repeal: *Provided*, That such by-laws shall not be contrary to the Constitution and Laws of this Commonwealth or the United States. Officers.

SECTION 8. That it shall be the duty of the trustees, at least once in every year, to appoint from the members of the said association, three competent persons as a committee of examination, whose duty it shall be to investigate the affairs of said association, and to make report thereof, to the stockholders. Committee of examination.

SECTION 9. That the Legislature hereby reserves the right to alter or amend the charter hereby granted, whenever in their opinion, it may be injurious to the citizens of the Commonwealth, in such manner, however, that no injustice shall be done to the incorporators. Reservation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 702.

## A N A C T

To authorize the Administrator of Mary B. Riddle, (late Wallace,) to sell the Real Estate of said Mary.

WHEREAS, Mary Binney Wallace, late of the city of Philadelphia, who intermarried with John S. Riddle, then and now of that place, was in her life time, and at the time of her death, May thirteenth, one thousand eight hundred and fifty-two, the owner in fee simple of certain tracts of wild land in the county of Warren, in this State, some of which lands she and her husband had agreed to sell in small lots to settlers in that region, who made partial payments therefor :

*And whereas*, The said Mary has since died intestate, having executed no deeds to the said settlers, or any of them, and leaving two children, John Wallace Riddle and James Riddle, infants, and her said husband surviving, who has been duly appointed administrator of her personal estate, and guardian of the said infants ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John S. Riddle, administrator of the personal estate of the said Mary, and any person who may, in case of death, resignation, or inability to act of the said John, fill that office, be and hereby is authorized and empowered, either personally or by power of attorney, to make sale and conveyance, or agreement for sale and conveyance, of any and all portions of the said land, and in the same way to make conveyance of any part or parts agreed to be sold : *Provided*, That before any act done under this statute, the said John, and in case of his death, resignation or inability to act, such person as may succeed him in his office of administrator, give security in the orphans' court in the city and county of Philadelphia, to be approved by the court, in the whole value of the lands, for the faithful application of the securities or purchase moneys arising from the same.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 703.

## A N A C T

To incorporate the Philadelphia and Delaware River Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Robbins, junior, William H. Witte, John P. Verree, Peter Rambo, John Clouds, Hugh Clark, Michael Day, John H. Bringhurst, J. D. Anderson, William Overington, Joseph Jeans, Harvey Rowland, Isaac Shallcross, James P. Verree, junior, John Rupert, Amos A. Gregg, Samuel H. Crawford, Isaiah J. Williamson, Samuel Branson, James C. Hand, Joseph McDowell, Samuel Megarge, Alexander Derbyshire, Edward D. Potts, Joseph Barnet, Franklin A. Comly, John Farnum, Marmaduke Watson, of Philadelphia county, John Walton, John Shelmire, Hugh Warner, John Smith, John Hallowell, junior, Charles Blaker, James Fenton, George Kenderdine, Joseph B. Yerkes, Jonathan Iredell, Charles H. Hill, Henry Stout, Jonathan Jarrett, Oliver Fretz, Hiram Reading, George J. Mitchell, Asa Comly, David Jeans, Charles Jarrett, Jacob L. Walton, John Iredell, Jervis S. Smith, Daniel Carr, Charles Palmer, Lukens Paid, Jacob Kirk, Thomas Iredell, of Montgomery county, John Davis, Louis S. Coryell, Joseph Morrison, Hugh Murns, Robert Banes, Griffith Miles, Erasmus N. Hilles, William Stavely, Simon Gere, Charles Waters, John E. Kenderdine, Lukens Thomas, Howard K. Sager, Captain Evan Groom, Colonel David Marple, Charles A. Dubois, John C. Banes, James M. Boillian, Robert Darragh, Amos Snyder, Joseph Barnesly, John Blackford, Luther Calvin, John Betz, George Jamison, Thomas Dungan, Joshua Fell, Jonathan Walton, Elias Ott and William Fenton, of Bucks county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Philadelphia and Delaware River Railroad company, with power and authority to construct a railroad, beginning at a point north of Cherry street, Kensington, in the county of Philadelphia, and thence through the eastern part of Montgomery county, by way of the Pennepeck creek, to or near the village of Hatborough, and thence by way of New Hope, or Riegersville, or any point between said New Hope or Riegersville, to the borough of Easton, in Northampton county, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same is not altered or repealed by this act. And the said Philadelphia and Delaware River Railroad company shall have the right to connect with the North Pennsylvania railroad, at any point North of Cherry street and within the

Commissioners.

Style.

Subject to provisions of certain act.



present bounds of the District of Kensington, county of Philadelphia, on such terms as may be mutually agreed upon, and with the concurrent action of the State of New Jersey, and subject to the provisions and restrictions of the act aforesaid, to construct a bridge across the river Delaware, and to connect, by one or more lateral or branch roads, with any railroad or other public improvements in the State of New Jersey: *Provided*, That if said company shall construct a bridge across the river Delaware, the said bridge shall be so constructed as not to interfere with the free navigation of said river.

Capital stock

Proviso.

SECTION 2. That the capital stock of the said company shall consist of twenty thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it should be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act. For the purpose of completing and equipping the railroad, the said company shall have the power of borrowing any sum, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of a bond and mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bond and mortgage the privilege of converting the same into capital stock of the said company, at par, at the option of the holders, if they shall signify their election one year before their maturity: *Provided also*, That the said company shall issue no certificate of loan of a less denomination than one hundred dollars: *Provided*, That any railroad now incorporated, or hereafter to be incorporated, connecting with the New York and Erie railroad, shall have the right of connection with said road.

Proviso.

Proviso.

Connections.

SECTION 3. That the said company shall have power to connect with any railroad belonging to any other company, using part of the said route in any and every case where it may be deemed inexpedient for a time, to build the whole of the road authorized by this act, and the said company shall have as full power and control over the part or parts built by the said company in every respect, as if the said company had built the whole of the road authorized by this act.

Duties of president and directors.

Proviso.

Proviso.

SECTION 4. That the president and directors of the said company shall have the power, if it shall be deemed expedient, to exercise the same, to contract to pay to the stockholders of the said company at such times as the president and directors or a majority of them, shall designate interest at the rate of six per centum per annum on all shares or instalments paid on the shares of the said stock until the said railroad shall be completed, and the profits and earnings of the said railroad within the same time shall be credited to the cost of the same: *Provided*, That interest shall not be paid on any share of stock upon which any instalment which has been duly called for remains unpaid: *Provided further*, That the stock of the said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, nor until the net earnings shall realize at least six per centum per annum upon the capital invested.

Commencement and completion of road.

SECTION 5. That if the said company shall not commence the construction of said railroad within five years, and complete it in ten years from the passage of this act, the same shall be null

and void, except so far as the same may be necessary to settle the affairs and pay the debts of the said company.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 704.

## A N A C T

To incorporate the Atlantic Mutual Insurance Company, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry White, George W. Richards, David Wood, Newcomb B. Thompson, Joseph B. Myers, William J. Wainright, John McCauley, Joseph Jeanes, Edward Y. Farquahar, Benjamin Bullock, Frederick Lennig, Robert Patterson, James Gowen, Thomas Harper, William Badger, William B. Gihon, Henry L. Stephens, Peter F. Rothermel, Samuel A. Patton, John Reynolds, Samuel Kirkpatrick, John Jordan, junior, Andrew R. Chambers, Robert Howell, John McCaules, Edward H. Trotter, James S. Steel, William S. Smith, Samuel J. Christian and Joseph M. Cowell, of the city of Philadelphia, be and they are hereby appointed commissioners, whose duty it shall be at any time or times to be, by them or a majority of them, appointed to open books, in the city of Philadelphia, to receive applications for insurance by the Atlantic Mutual Insurance company, of Philadelphia; and as soon as applications amounting to one hundred thousand dollars shall be received, said commissioners or a majority of them, shall give at least ten days notice, by at least one advertisement in two of the daily newspapers, published in the said city, of the time and place for the election, by the said subscribers, each one of which shall be entitled to one vote for twelve directors of the said company, to serve until the second Tuesday in January, then next ensuing, or until their successors shall be legally chosen, whereupon the Governor shall issue letters patent to the said applicants for insurance, under the name of the Atlantic Mutual Insurance company, of Philadelphia.

SECTION 2. That all the corporate powers of the said company shall be exercised by the board of directors, and such officers and agents as they may appoint; the board of directors shall consist of twelve persons, and seven of them shall constitute a quorum; the board of directors shall at their first meeting, and

Corporate powers  
to be exercised  
by a board of  
directors.

on the second Tuesday in January, in every year thereafter, elect one of their number president, and they shall have power to fill any vacancy or vacancies in the board, occasioned by death, resignation or otherwise.

Company to have  
all the powers of  
a certain  
company.

SECTION 3. That the said company shall have all the powers conferred upon the Independent Mutual Insurance company, of Philadelphia, and the Lycoming County Mutual Insurance company, and they may cause themselves at any time or times, to be wholly or partially reinsured as to any risks, and to invest their funds in loans, stocks, notes or otherwise.

Banking privi-  
leges prevented.

SECTION 4. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper, to be circulated as bank paper.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 705.

## A SUPPLEMENT

To an act incorporating the Mountain Coal Company.

Extension.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Mountain Coal company and the provisions of the act of Assembly incorporating the same, be and are hereby extended for the period of twenty years from the thirty-first day of December, one thousand eight hundred and fifty-five, the time now limited by said act of incorporation.

Powers.

SECTION 2. That said company shall have power to construct its railroad from its lands, to any convenient point of intersection with the Delaware, Lackawanna and Western Railroad and North Branch canal, that may be most advantageous for said company, and to increase its capital stock to an amount necessary to complete and equip the same.

Additional  
corporators.

SECTION 3. That Ezekiel Mowry, junior, Burton Kingsbury, Charles Comstock, E. P. Allen, Isaac Depew and Harrison Wright are hereby made additional corporators.

Tax to be paid to  
Commonwealth.

SECTION 4. That said company shall pay into the State treasury for the use of the Commonwealth, a tax of one-half of one per centum on the capital stock thereof, in four equal annual payments, commencing on the first day of January, one thousand eight hundred and fifty-six, and a like bonus on any increase of its capital as authorized by this act.



SECTION 5. That the stockholders of said company shall be <sup>Liability.</sup> liable in their individual capacities, for all debts contracted by by the company for labor done or material furnished for its use.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM BIGLER.

No. 706.

## AN ACT

To incorporate the Saving Fund Society of Germantown, and its vicinity.

WHEREAS, Great benefit has arisen to tradesmen, mechanics, laborers, domestics and others, from the establishment of institutions for receiving, and safely investing such sums as are saved from their earnings: <sup>Preamble.</sup>

*And whereas,* The great increase of Germantown makes it inconvenient for persons of this description, residing in Germantown and its vicinity, to resort to the offices of the Philadelphia saving fund societies, for the purpose of making such deposits; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George H. Thomson, George W. Carpenter, Ezra Comfort, Charles F. Ashmead, Abraham Martin, Lloyd Mifflin, John S. Twells, John S. Little, Alfred Cope, Joseph Handsberry, Spencer Roberts, John Wister, junior, Paschall H. Coulter, Nathan Hilles, Philip R. Freas, Henry P. Atherton, Samuel Morris, Nathan L. Jones, Doctor Owen Jones Wister, Andrew M'Callum, Thomas Magarge, Charles H. Shoemaker, John S. Haines, Elliston Perot Morris, Charles Spencer, F. William Bockius, Robert Levick, P. Charleton Henry, Joseph G. Mitchell, Joseph Deal, Thomas Goodwin, James R. Landon, Samuel Harvey, William Heiss, Henry Friche and Robert P. Smith, and their successors forever, be and they are hereby erected and made one body politic and corporate, in deed and in law, by the name, style and title of the "Saving Fund society of Germantown, <sup>Style.</sup> and its vicinity," and by the same name shall have perpetual succession, and are hereby made able and capable in law to have, purchase, receive, take, hold, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, stock, goods, chattels and effects, of what kind, nature or quality soever, whether real, personal or mixed, by gift, grant, de-

## Privileges.

mise, bargain and sale, devise, bequest, testament, legacy, loan, deposit or advance, or by any other mode of conveyance or transfer whatever ; and the same to give, grant, sell, devise, convey, assure, transfer, alien, pay, release and dispose of, for the whole or any less estate or property than they have in the same ; and also to improve and augment the same, in such manner and form as the said society, by their by-laws and regulations, shall order and direct ; and shall and may apply the same, with the rents, issues, profits, income, interest and profits of such estate, and the moneys arising from the sale, alienation, disposal or employment thereof, to the uses, ends and purposes of their institution, according to the rules, regulations and orders of their society, or which, according to the provisions hereinafter made, shall from time to time be declared touching the same, as effectually and fully as any natural person or body politic or corporate within this State, by the constitution and laws of this Commonwealth, can do and perform ; and the said society, by the name, style and title aforesaid, shall and may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law within this Commonwealth and elsewhere ; and also make, have and use a common seal, and the same break, alter and renew at their pleasure ; and shall have power also to make, establish and ordain, and put in execution such by-laws, ordinances and regulations as shall to them, or a majority of them hereafter, seem meet or convenient for the government of such corporation, not being contrary to the constitution and laws of this Commonwealth ; and generally to do and execute all and singular such acts, matters and things, which to the said corporation shall or may appertain, and be necessary for the purposes thereof, subject nevertheless to the rules, regulations, restrictions, limitations and provisions herein prescribed and declared.

## Rules. &amp;c.

SECTION 2. That the following rules, limitations and provisions shall form and be fundamental articles of the constitution of the corporation.

## ARTICLE I.

The institution shall be conducted by thirty managers, who shall annually on the first Monday of January, choose one of their number as president, and shall have power to appoint a secretary, treasurer and such other officers as the business of the corporation may require, and to allow to each of them such reasonable compensation as they from time to time may deem proper ; the seat of any manager who shall have neglected to attend for three successive meetings may be vacated by the board, and any of the officers may be removed at the pleasure of the board.

## ARTICLE II.

The managers shall have power to fill by ballot after notice of one month of any vacancy which may occur in their own body or officers, either by death, absence, resignation or otherwise, two-thirds of the members present to agree to all removals and new appointments, and no appointment or removal to take place when a less number than sixteen managers are present.

## ARTICLE III.

No emolument whatever shall be received by the managers, except by the president, for their services ; no manager, officer or

agent of the said saving fund society, shall be allowed directly or indirectly to borrow any money or monies from the said society, nor shall the said society have, hold or purchase any notes, bonds or mortgages or other securities, for the payment of money drawn or endorsed by or existing against any manager, officer or agent of the said saving fund society.

## ARTICLE IV.

The money deposited shall bear an interest at the rate of four per centum per annum, and shall be repaid when required upon two weeks notice, with the interest thereon to the time of such notice.

## ARTICLE V.

No sum less than ten cents shall be received as a deposit, and no interest shall be allowed on any deposits until they amount to the sum of five dollars, the interest on which will be twenty cents per annum or two cents per calender month, every additional sum of one dollar that may be lodged will bear interest in the same manner.

## ARTICLE VI.

Interest is to be estimated by calender months, and in order to avoid the calculation of days upon small sums, no interest will be allowed for the fractional parts of a month.

## ARTICLE VII.

Two or more managers or the treasurer shall attend at the office of the society, at such times as may be appointed by the board of managers, to receive dispoits and to pay such sums as may be withdrawn; no money shall be drawn out under five dollars unless to close an account.

## ARTICLE VIII.

The deposits and payments shall be regularly entered in the books of the office, and every person depositing money shall be furnished with a duplicate of his or her account in which every deposit or payment shall be regularly entered as soon as made.

## ARTICLE IX.

A cash book and ledger shall be kept at the office, in which the deposit money and payments shall be immediately entered.

## ARTICLE X.

A book shall be kept at the office, in which every depositor shall be at liberty to appoint some person or persons to whom, in the event of his or her death, the money shall be paid, if not otherwise disposed of by will.

## ARTICLE XI.

The managers shall meet at least once in every month, and five shall be a quorum: The books, treasurer's accounts and other documents, shall be produced at such meetings.



## ARTICLE XII.

The managers shall be at liberty at any time to refuse deposits, and on giving one months' notice to return such as have been made with interest thereon, to be calculated to that time and no longer.

## ARTICLE XIII.

A report shall be annually prepared by three auditors, who shall not be managers or officers of the corporation, chosen by the board, and such report shall be published in one or more gazettes of the city or county of Philadelphia, and the managers shall annually transmit one copy of the said report, to the Speaker of the Senate, and one copy to the Speaker of the House of Representatives.

## ARTICLE XIV.

The managers shall not receive deposits from any one person to a greater amount than one thousand dollars at any one time, nor shall the deposits during the year of any one person, at any one time, exceed one thousand dollars.

## ARTICLE XV.

No interest to be allowed on any deposit made, if withdrawn within thirty days from the time of making such deposit.

## ARTICLE XVI.

It shall be the duty of the president of the Saving Fund Society of Germantown, and its vicinity, to forward to the Speaker of the House of Representatives of this Commonwealth, on or before the first Monday of January, in each and every year, a statement, under affirmation of the president and treasurer, showing the whole number of depositors on the books of the said society on the first Monday in November preceding, and showing the number of depositors having sums in deposit, not exceeding ten dollars each, and how many depositors of from ten to twenty dollars; how many from twenty to fifty dollars; how many from fifty to one hundred dollars; how many from one hundred to two hundred dollars; how many from two hundred to three hundred dollars; how many from three hundred dollars to five hundred dollars; and how many of five hundred dollars and upwards.

Officers to continue in office until new election.

SECTION 3. That until the election of the officers aforesaid, pursuant to this act, the officers now elected and appointed shall be and continue officers of the said society, and that no misnomer of the said corporation in any deed, testament or gift, grant, devise or other instrument or contract or conveyance, shall vitiate or defeat the same, if the said corporation shall be sufficiently described to ascertain the intent of the party or parties to give, devise, bequeath, assure to or contract with the corporation hereby created by the name aforesaid, nor shall any of the non-users of the said privileges hereby granted create any forfeiture of the same, but the same may be exercised by the said corpo-

ration, and notwithstanding any failure to meet at any of the times appointed herein, or by the by-laws and ordinances of the said society, to hold their annual or other meetings for elections or other subjects for consideration, the officers then in office shall continue to hold and exercise their respective offices, until others shall be duly elected to succeed them at some future meeting of the said society, which the said corporation is hereby authorized to hold for such purpose.

SECTION 4. That if at any time the said corporation shall mis-<sup>Reservation.</sup>use or abuse any of the privileges granted by this act, or if it shall appear that the said privileges are injurious to the citizens of this Commonwealth, the Legislature shall have power to revoke and annul them at any time they may deem the same expedient, and the corporate privileges hereby granted shall continue for twenty years and no longer.

E. B. CHASE,  
*Speaker of the House of Representatives.*  
M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 707.

## AN ACT

To incorporate the Commonwealth Insurance Company, at Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That<sup>Corporators.</sup> David R. Porter, Jacob Shell, Benjamin Parke, James Fox, Charles A. Snyder, Robert J. Ross, John C. Kunkel, Frederick K. Boas, George M. Lauman, Stephen Miller, George A. C. Seiler, George Bergner, William H. Kepner, Edward C. Williams, Daniel Herr, William Dock, John Zinn, Philip Daugherty, Robert A. Lamberton, John P. Leebrich, Simon Sallade, Jacob Bomberger, John W. Glover, John C. Harper, J. Brisbin Boyd, John Paul, Jacob Hoffman, John Shell, Solomon Landis, John H. Fox, John Haldeman, George T. Hummel and Jacob Millisen, of Dauphin county; Jacob S. Haldeman, of York county; Henry G. Moser and D. J. McKee, of Cumberland county; John Cresswell, junior, and James L. Gwin, of Blair county; Jesse C. Horton and George Welker, of Northumberland county; and Eli Slifer and Ner Middleswarth, of Union county, and all other persons who may be hereafter associated with them, in the manner hereinafter prescribed, and their successors shall be and they are hereby constituted and declared to be a body politic

Style.	and corporate, by the name, style and title of the "Commonwealth Insurance Company, at Harrisburg," and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors lands, tenements, rents, annuities, franchises and hereditaments, goods and chattles, of whatsoever kind,
Privileges.	and choses in action, and the same to sell and dispose of from time to time, and also to make and have a common seal, and the same to alter and renew at pleasure, and also to make and ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the corporation, and for the management of its property, and the regulation of its affairs, not being contrary to this charter or the laws of this Commonwealth or of the United States, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well-being of said corporation.
Commissioners.	SECTION 2. That the above named persons are hereby constituted commissioners, who or any five of whom shall or may at any time, within one year from the passage of this act, call a meeting of the commissioners, by giving two weeks' notice of the same, in one or more newspapers printed in Harrisburg, at which meeting the commissioners present, shall organize and receive subscriptions to the capital stock. Each person subscribing for the same shall pay in cash, at least ten per centum of their subscription, and when the amount of fifty thousand dollars shall have been subscribed, and ten per centum paid in cash, then it shall be lawful for the said subscribers or stockholders to hold an election for directors, seven of whom shall be stockholders, and residents of Dauphin county. Said directors shall elect a president and secretary, which shall constitute an organization.
Notice to be published.	
Affairs of company, how managed.	SECTION 3. That the affairs of said company shall be managed by a board of directors, to be elected annually, consisting of not less than seven nor more than twenty, and such agents and officers as they shall appoint. A president and secretary shall be elected annually by the directors, and all vacancies happening in any of said offices may be filled by the board for the remainder of the year for which they were elected, the board shall have power to declare by by-laws what number of directors, less than the whole, shall constitute a quorum, for the transaction of business, as, also, the number of directors to be elected, and the time and place of holding the annual elections.
Capital stock.	SECTION 4. That there shall be a capital stock of not less than fifty nor over three hundred thousand dollars, to be divided into shares of fifty dollars each; and there shall be paid into the treasury of said corporation, by each subscriber to the said capital, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed; and the remaining sum due on each share shall be paid in such instalments and at such times as the directors shall deem necessary, to enable them to liquidate all claims or demands upon the treasury for losses and expenses, such instalments to be equally assessed, and shall be paid within thirty days after notice of the same by the directors. And should any of the stockholders neglect or refuse to pay any of the said instalments, after notice as aforesaid, the amount previously paid on said stock



shall become forfeited to the company; and said stock may be sold by the directors to any person, for such price as can be obtained for the same, or the directors may proceed, at their option, to collect from such stockholders the amount of such instalments. The directors shall have power to require security on all stock subscribed and not paid in, if they deem it expedient for the safety of the company, and generally to adopt that course they think best calculated to advance the interests of the company.

SECTION 5. That the said company shall have full power and authority to make insurance against losses by fire, at such rate of premium and upon such terms and conditions as may be agreed upon, on any house, tenement, manufactory or other building, and on goods, wares and merchandize, and other effects therein, and on hay, grain, and other agricultural products in barns, stacks or otherwise, and generally on all kinds of buildings, goods, wares, merchandize and effects, together with every species of property, pursuit or business, in the pursuit and prosecution of which there is any loss or risk; and also to make and effect insurance on lives, of whatsoever sort or nature; to contract for, grant and sell annuities and reversionary payment; to take, receive and hold all estates and property, real and personal, which may be granted, committed, transferred or conveyed to them, with their consent, upon any trust or trusts whatever, at any time or times, by any person or persons, body or bodies corporate, or by any court of the United States or of this State; and to administer, fulfil and discharge the duties of such trusts, and to make, execute and perfect such contracts, bargains, agreements, policies and other instruments as shall or may be necessary and as the nature of the case may require; and every such contract, bargain, agreement, policy, and other instrument to be made by the said company, shall be in writing or print, under the corporate seal, signed by the president and attested and signed by the secretary or other officers who may be appointed by the directors for that purpose: *Provided however*, That the company shall not exercise any of these powers until the full subscription of one thousand shares shall be made and five dollars on each be paid.

Authority to make insurances.

SECTION 6. That it shall be lawful for the said corporation to employ and improve the capital stock thereof, and all other funds entrusted to their care on any special trust, and all moneys received for premiums for insurance, which by this act the directors are directed to retain, until the risks upon which such premiums have been received are fully determined, in any stock of this State or of the United States, or to lend the same or any part thereof, upon mortgage or sufficient real estate security, and also to sell and dispose of and transfer all or any of the said stock, mortgages, real estate or securities, and invest the proceeds thereof in like mortgages or other stock and real estate securities: *Provided*, That nothing herein contained shall authorize the said company to do or carry on any banking business, or to use the funds of the company for banking purposes, or in the discounting or purchasing of bonds, notes, bills of exchange, or other mercantile paper.

Employment of capital stock.

Proviso.

SECTION 7. That the directors of said company shall on the first Mondays of January and July in each and every year declare and divide so much of the profits of said company as to them shall appear advisable, first deducting all losses and expen-

Dividends.

ses, and pay the said dividend to the respective stockholders or to the agents duly empowered to receive them, but the moneys received as premiums upon risks which remain undetermined and outstanding at the time of declaring such dividends, shall not then be considered as part of the profits of the said company or dividend as such, and if any loss shall happen whereby the capital stock of the said company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the said capital stock, and if the directors shall knowingly make a dividend or dividends contrary to the true intent and meaning of the prohibitions herein contained, such of them as shall consent thereto, shall in their individual capacity be accountable for and pay over to the said company for the use thereof, as much money as they may so divide, and pay more than by this act they are authorized to do and each director in office at the time of making such dividend hereby prohibited shall be deemed as consenting thereto, unless he or they shall at the time of making and declaring the same be absent from the meeting of the board of directors, or if present shall immediately enter his or their protest or protests on the the minutes of the board.

Votes.

SECTION 8. That in the election of directors of said company, the stockholders shall be entitled to the following number of votes to wit: for two shares, one vote; for six shares, two votes; for ten shares, three votes; for sixteen shares, four votes; for twenty-four shares, five votes; for fifty shares, six votes; for seventy-five shares, seven votes; and for one hundred shares or upwards, eight votes; absent stockholders may be represented by proxy.

Individual  
liability.

SECTION 9. That should the said company at any time fail to meet its engagements, each person holding stock at the time of such failure shall be individually liable for the debts of the company, to the amount of the balance unpaid on the stock of such stockholder, and if any officer, agent or other person connected with or doing business for or with said company, shall fraudulently embezzle or appropriate to his or their own use, or the use of any other person or persons any money or other property belonging to said company, or left with it or them as a special deposit or otherwise, he or they upon conviction thereof in the court of quarter sessions shall be fined in a sum not less than five hundred dollars, and be sentenced to and undergo an imprisonment in the penitentiary or county prison for any time not exceeding two years at the discretion of the court: *Provided*, That this conviction shall not prevent any person aggrieved from pursuing his or her civil remedy against such person or persons.

Proviso.

Place of business.

SECTION 10. That the business of the company shall be carried on at such place in the borough of Harrisburg as the directors shall designate, and such agencies out of Harrisburg as they may establish.

General balance  
sheet.

SECTION 11. That within thirty days after the close of each fiscal year, the officers of said company shall cause to be made and printed a general balance sheet, showing the amount of capital stock, amount of premiums received during the year, amount of expenses and amount of losses during the year, the balance remaining with the company, the nature of all securities in which said balance is invested, and the amount of cash on hand, also a full account of existing policies, and the directors



shall cause the said statement to be published at least in one newspaper published in Harrisburg for two weeks.

SECTION 12. That the right to repeal or alter this charter in such manner as to do no injustice to the stockholders, is hereby reserved to the Legislature. Reservation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 708.

## A N A C T

To incorporate the Red Bank Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas K. Litch, Thomas Reynolds, Daniel Smith, Darius Carrier and Patrick Kerr, shall be and they are hereby appointed commissioners for the purposes hereinafter mentioned, that is to say, they or a majority of them shall procure, open, and keep open from time to time, and for such length of time as they may deem proper, or until ten thousand dollars are subscribed, and no longer, a suitable book or books, and receive subscriptions therein from all persons desiring to take stock in said company, to be incorporated in pursuance of said act, the form of said subscriptions shall be as follows, to wit: We whose names are hereunto subscribed, do severally promise to pay to the Red Bank navigation company, the sum of ten dollars for each and every share of stock set opposite our names, at such time, and in such instalments as the managers of said company may require; and every person so subscribing, as soon as the said subscriptions amount to two thousand dollars, shall pay to said commissioners a sum not exceeding one dollar on each share they may have subscribed; when two hundred shares shall have been subscribed, the said commissioners, or a majority of them, shall certify the same to the Governor, verified by the oath of at least two of them, whereupon the Governor shall, by letters patent in the usual form, create and constitute the subscribers, and those who may thereafter subscribe to the stock of said company, their successors and assigns, a body corporate and politic, by the name, style and title of the "Red Bank navigation company," and by the said name, style and title, the said company shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, and to receive, pos-

Commissioners  
  
Open books.



sess and dispose of all money and property belonging, or that may belong to said company.

Officers to be  
elected.

SECTION 2. That as soon as possible after the issuing of said letters patent, the said stockholders, or any part of them, shall at some convenient time and place, whereof public notice shall be given in at least one public newspaper in the county of Jefferson, and one in the county of Clarion, at least three weeks before the time, proceed to elect one president and four managers for said company, who shall continue to act for one year, and until their successors shall be elected annually thereafter, at such time and place as may be designated by the managers as above directed; the stockholders, or any of them in person or by written proxy, may proceed to elect a president and managers as aforesaid, and for the term aforesaid; each stockholder shall have one vote for each share he shall have subscribed, not exceeding ten, and one vote for every five shares exceeding that number, and not exceeding twenty shares; no stockholder shall be entitled to vote at any election of said company, until he shall have paid the whole sum due and payable on the share or shares held by him at the time of said election; the said president and managers shall have power to make such by-laws and regulations, not inconsistent with the constitution and laws of the United States, and of this State, as may from time to time be necessary.

Powers of com-  
pany

SECTION 3. That the president and managers of the said company shall have power to clean and clear the Red Bank, Sandy Lick and North Fork creeks from all rocks, bars and other obstructions; to erect dams and locks; to bracket and regulate all dams now erected; to regulate the schutes of dams; to regulate and bracket all dams and schutes that may hereafter be erected in said streams, and the same to alter or abate as may become necessary; they shall also have the power by brackets or otherwise, to control the waters in said creeks for the purposes of navigation; to levy tolls not exceeding one and one-quarter cents, for each and every five miles of improved creek, per thousand feet of boards or other sawed stuff; one and one-fourth cents for every fifty feet, lineal measure, of square or other timber; one-fourth of one cent per foot for every boat that may pass down said creeks, to be collected at the mouth of Red Bank creek, and at such other points along said creeks as may be necessary; to appoint officers and agents, and employ hands for the purpose of carrying into full effect the provisions of this act; to regulate the landing of boats, rafts, et cetera, at the mouths of said creeks or elsewhere; that such regulations may be necessary to take gravel, stones, timber and other materials necessary for the erection and repairing of dams, locks, et cetera, from lands adjacent to said creeks; to enforce all acts of Assembly now in force against throwing into said streams or their tributaries any slabs, trees, stumps, et cetera, and generally to do all things necessary for the safe navigation of said streams; they shall also have the power to levy tolls upon logs driven down said streams, not exceeding twenty-five cents per hundred logs for every five miles of improved creek.

Provision of sec-  
tion 9th, act of  
26th January,  
1849, made  
applicable.

SECTION 4. That section ninth of the act twenty-sixth January, one thousand eight hundred and forty-nine, entitled "An act regulating turnpike and plank road companies," shall apply in all cases of damages arising under this act, excepting cases of abating dams and other acts necessary to keep open the navi-

gation of said streams; in such cases the remedy shall be as heretofore, and the said company and their officers in all cases of abatement of dams, schutes, et cetera, in every action brought for the recovery of damage arising from such abatement, may give in evidence the fact of said dams, schutes, et cetera, being a public nuisance.

SECTION 5. That the seventh and eighth sections of the above recited act, shall apply *mutatis mutandis* to, and form part of this act. Seventh and eighth sections made applicable

SECTION 6. That the president and managers of said company shall keep fair and just accounts of all monies received and expended, and the manner of their expenditure; which said accounts shall at all times be open for the inspection of the stockholders and others interested. Fair and just accounts to be kept.

SECTION 7. That the collectors appointed by said president and managers shall also act as treasurer, and shall give bonds in such sums as the said president and managers shall indicate, for the faithful discharge of his duties, and reimbursement of all monies that may come into his hands: He shall receive as a compensation for his services, a sum not exceeding five per cent on all monies by him received and disbursed. Treasurer.

SECTION 8. That a director shall be appointed by the president and managers, whose duty it shall be to direct and superintend the landing of boats, rafts, et cetera, in the mouth of Red Bank creek, and elsewhere; to see that the channel is kept open, and to return to the collector, and also to the president and managers, the number of all rafts, boats, et cetera, passing along or landing in said streams; said director shall not permit any rafts, boats or other crafts to land in the mouth of said creek in such manner as to close the channel, but shall keep the same open at least fifty feet in width, and any person who shall wilfully close said channel or shall disobey the directions of said director, and thereby in any manner directly close said channel, or shall wilfully run into the mouth of said creek after the same is so closed, contrary to the directions of the director, shall be liable to pay a fine of fifty dollars, for the use of said company, to be collected in any part of this State, by an action of debt before any justice of the peace of this Commonwealth, and in the name of the Commonwealth, and in default of payment, the person so convicted shall be committed to the jail of the proper county for the term of thirty days. Director to be appointed by president and managers.

SECTION 9. That any person or persons who shall attempt to run any raft or rafts, boat or boats, log or logs, or other craft or crafts, past any collector's office, without having first paid his, her or their tolls, shall be subject to a fine of five dollars for each raft, boat or other craft, and one dollar for each log so run past, to be recovered in the same manner, and for the same use, and payment to be enforced in the same way, as directed in section eighth, and all persons aiding or abetting any person in avoiding any tolls, shall be subject to the like penalties. Penalty for violating this act.

SECTION 10. That the tolls assessed under this act shall be a lien upon the property upon which they are levied, into whose-soever hands the same may come, and may be recovered by action of debt or assumpsit, before any justice of the peace, either against the original owner, his agent or agents, or the person or persons in whose possession the same may be, and judgment being so recorded, execution may be had of the property upon which said tolls may be assessed or are a lien, though the ownership Tolls to be a lien.

in said property may have changed, after the commencing of said suit.

Liability.

SECTION 11. That the collectors shall be liable for the tolls on all rafts, boats, et cetera, that shall pass their offices, and which shall be returned to them by the director.

Tolls.

SECTION 12. That the said company may levy and collect tolls as soon as twenty miles are improved, of the Red Bank creek, from the mouth upwards, and it shall have the control of the landing at the mouth of the creek, immediately upon the granting of the charter.

Dividends.

SECTION 13. That whenever the dividends arising from the tolls shall amount in gross, to the amount of stock actually paid in, clear of expenses, and ten per centum per annum, then, and in that case the tolls shall be reduced to an amount only sufficient for the improvement of said streams.

Stockholders may  
be witnesses.

SECTION 14. That no stockholder or officer of said company shall, by reason of his interest therein, be disqualified as a witness in any suit in which said company is or may be a party.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 709.

## AN ACT

To extend the charter of the Pittsburgh Trust Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Pittsburgh Trust company be and the same is hereby extended for the period of fifteen years from and after the expiration of the present charter, subject to all the provisions and restrictions of the act incorporating said company, passed the thirty-first of March, Anno Domini one thousand eight hundred and forty-five, and the supplement thereto, passed the twenty-ninth of March, Anno Domini one thousand eight hundred and fifty-three, and to such provisions of the act of sixteenth April, one thousand eight hundred and fifty, and the supplements thereto, as may be applicable to said company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.



No. 710.

## A N A C T

Incorporating the Northampton and Lehigh Horse Insurance Company, for the insurance of the lives of Horses, and the apprehension and detection of Horse Thieves.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons who have associated themselves into a horse insurance company, in the counties of Northampton and Lehigh, by the name of "The Horse Insurance company of Northampton and Lehigh counties," for the insurance of the lives of horses and for the apprehension and detection of horse thieves, with such persons as shall hereafter be admitted members thereof, in manner provided by the by-laws of the company, shall be and they are hereby created and made a body politic and corporate, by the name, style and title of the Northampton and Lehigh Horse Insurance company, for the insurance of the lives of horses and the apprehension and detection of horse-thieves; and they and their successors are hereby ordained and declared a body politic and corporate, in fact and in law, with all the legal incidents to a corporation, aggregate: *Provided,* That said company shall have power to hold personal estate to an amount not exceeding ten thousand dollars.

Corporation.

Style.

Proviso.

SECTION 2. That on the first Saturday in November next, and on the same day of each year thereafter, the members of said corporation shall convene for the election of directors of said company, who shall continue in office for one year, and until successors shall be duly chosen; and in the event of a failure to elect on the day herein appointed, the election shall be held as soon thereafter as practicable, giving at least ten days notice of the time and place of election; and that until the first election hereby authorized, and until successors shall be chosen as herein directed, John P. Beil, Joseph Lerch, junior, Aaron Kichlien, Daniel Levan, Joseph Laubach, George Hower, John Laubach, (of Adam) Jacob Bear, and Daniel Saeger, shall be the directors of the said company, with power to transact all business enjoined upon them by this act or by the laws of the company.

Election of directors.

SECTION 3. That a general meeting of the company shall be held whenever called by the board of directors, or whenever requested by any ten of the members; and the members shall, at their general meeting, pass all by-laws, rules and regulations necessary for the proper government of the affairs of the company, or vest the power so to do in the board of directors, whenever it shall be deemed advisable so to do; and all elections shall be by ballot, each member being entitled to one vote, to be conducted by three judges to be chosen by the members present at the election, who shall certify, under their hands, the result of said election, to be filed with the papers of the corporation. The directors, for the time being, shall choose one of their members for president, and also a secretary and treasurer,

General meeting

out of the members of the company, and shall have power to remove the secretary or treasurer, and to supply any vacancy which may happen, by death, resignation or removal, either in the board of managers or in any of the officers of the company, until next election; and the said company shall have power to elect such other officers as they may deem necessary, and to pass all by-laws, rules and regulations, necessary to carry into effect the object of this act, not contrary to this act or the constitution and laws of this Commonwealth. And each member of the company shall be liable to contribute equally to the payment of all losses and expenses of the company; and the rates of contributionship shall be settled by the board of directors, after which the treasurer shall proceed to collect the amount due from each member of the company.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 711.

## AN ACT

Incorporating the Monongahela Insurance Company, of the city of Pittsburgh, in the county of Allegheny.

Insurance com-  
pany authorized.

Style

Privileges

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That there shall be, and is hereby established at the city of Pittsburgh, in the county of Allegheny, an insurance company, with an authorized capital of five hundred thousand dollars, to be divided into shares of fifty dollars each, and subscribed and paid by individuals, companies or corporations, in the manner hereinafter specified, which stockholders and subscribers and their successors, shall be and are hereby created a body corporate and politic, by the name and style of the Monongahela Insurance company, and by that name shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded in all courts and places, and in all matters, whatsoever, with full power and authority to hold, possess, use, occupy and enjoy all such real estate as shall be necessary or convenient for the transaction of its business, or which may be conveyed to said company for surety, or in payment of any debt that may become due, or owing to the same, or in satisfaction of any judgment of a court of law, or any order or decree of a court of equity in their favor, and the same real estate*

to sell, convey and dispose of. And the said corporation may have and use a common seal, and the same may change, break and alter, or renew at pleasure, and also may make, ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall be necessary for the government of said company, and for the prudent and efficient management of its affairs: *Provided*, The same be not contrary to the constitution and laws of this State or of the United States. Proviso.

SECTION 2. That the corporation hereby created shall have power and lawful authority to insure all kinds of property against loss or damage by fire, or any other cause or risk, to make all kinds of insurance against loss or damage of goods, merchandize or other property, in course of transportation, by land, water or otherwise, and on any vessels, boats or other water-craft wherever they may be, to make all kinds of insurance upon life or lives, to lend money on bottomry or respondentia, to cause themselves to be insured against any loss, damage or risk in the course of their business, under such regulations as may be prescribed by the directors of said company, and generally to do and perform all other matters and things connected with and proper to promote their objects, and that the provisions of the second and third sections of the act, entitled "An act incorporating the Western Insurance company, of the city of Pittsburgh, in the county of Allegheny," approved the twentieth day of March, one thousand eight hundred and forty-nine, and the supplement thereto, approved April sixth, one thousand eight hundred and fifty, be and the same are hereby extended to the said company. Property to be insured.

SECTION 3. That it shall be lawful for said company to invest any part of their capital stock, money, funds or other property in any public stocks or funded debt, created or to be created, by or under any laws of this or any other State or of the United States, and the same to sell, transfer or exchange at pleasure, and again, to invest the same or any part thereof, in such stocks or funds or otherwise, whenever, and as often as said company may deem it expedient, or they may loan the same to individuals or corporations, on real or personal security, or deposit the same in any banking or saving institution, with or without interest, for such time, on such terms and under such restrictions as the directors of said company for the time being, shall deem most expedient. Investment of part of capital stock.

SECTION 4. That the real and personal estate, business, property, funds, and prudential concerns of said company, and the administration of its affairs, shall be under the direction, management and control of a board of nine directors, who shall be stockholders and subscribers to the stock of said company; and after the first election, they shall be elected by the stockholders on the first Tuesday of December annually, at such hour and place within the city of Pittsburgh, as the directors for the time being shall appoint, of which ten days' notice, in at least one newspaper published in the said city, shall have been given, and they shall hold their office for one year, or until their successors shall have been chosen; the election shall be by ballot, and a majority of all the votes cast, shall be necessary to a choice, which votes shall be received and counted in public, by and under the direction of three stockholders, not directors at the time, to be previously designated by the board of directors for that purpose; and at every such election, and all meetings of



the stockholders held in pursuance of the provisions of this act, each share shall be entitled to one vote ; and after the first election, no share shall entitle the holder thereof to a vote, unless the same shall have been held by him for at least three calendar months previous to the day of election ; all stockholders absent from any meeting may vote by proxy, such proxy being a stockholder and present at the time of voting ; and in case it should by any means happen, that an election should not be held on any day required by the provisions of this act, the said corporation shall not, for such cause, be deemed to be dissolved, but it shall be lawful for said company to hold an election on any other day, in such manner as they may provide by by-laws or ordinances.

Election of  
officers.

SECTION 5. That the directors chosen under the provisions of this act, shall as soon as may be after the first election, and after every annual election, elect from their own body a president, who shall preside in the board until the next annual election, or until his successor shall have been elected ; and in case of his death, resignation, or otherwise failing to perform the duty, the board shall appoint a president pro tempore ; they shall fill all vacancies that may occur in their own body during the time for which they shall have been elected, and shall appoint a secretary, and all other officers and agents of said corporation, define their powers, and prescribe their duties, who shall hold their several appointments during the pleasure of the board ; they shall make such by-laws, rules and regulations for the government of themselves, and their officers and agents in the management of the affairs of the corporation, as to them shall seem needful and proper, not inconsistent with the laws of this State, and the by-laws of the stockholders adopted at any regular meeting ; they shall hold stated meetings as often as once in every month, on such day of the month, and at such hour of the day as they from time to time may appoint, and at such other times as the president, for the time being, shall direct ; a majority of all the directors shall constitute a board for the transaction of business, and all questions before the board, shall be decided viva voce by a majority of the directors present, any two of whom may require the yeas and nays to be taken on any question submitted, and entered of record in the journal of their proceedings.

Policies or con-  
tracts to be sub-  
scribed by the  
president

SECTION 6. That all policies or contracts of insurance which may be made or entered into by said corporation, shall be subscribed by the president, or such other officer as shall be designated for that purpose by its by-laws, and attested by the secretary, and being so signed and attested, shall be binding and obligatory on said corporation, without the seal thereof, according to the true intent and meaning of such policy or contracts ; and the secretary shall, at every annual election or other general meeting of the stockholders, lay before them a correct statement of the condition and affairs of said company.

Stock assignable.

SECTION 7. That the stock of said company shall be assignable and transferable on the books of the same, or otherwise, according to such rules and by-laws, and subject to such restrictions and limitations as the stockholders or directors at a regular meeting may from time to time adopt and establish.

General meeting.

SECTION 8. That the board of directors, or any number of stockholders being the owners of at least two hundred and fifty shares, may at any time call a general meeting of the stock-

holders on any business interesting to the company, by giving at least one week's notice in a daily, or two week's notice in a weekly paper published in Pittsburgh, of the time and place, and objects of such meeting.

SECTION 9. That Springer Harbaugh, William B. Holmes, F. Irish, Joseph Plummer, E. H. Irish, William J. Howard, junior, Angus M'Bane, J. H. Hopkins, William P. Townsend, A. Hoveler, Edward Rahm, Joseph Dilworth, George E. Peebles, David Irwin, Henry Horbach, A. H. Gross, John D. Miller, Rody Patterson, C. H. Paulson, D. Brucklocker, W. M. Edgar and George W. Jackson of Allegheny county; Robert Townsend and S. Merrick of Beaver county, and W. S. Calohan and Jacob Morgan of Washington county, or any three of them, be and they are hereby authorized, after giving ten day's public notice in two daily newspapers published in the city of Pittsburgh, to open books, at some convenient place in the city of Pittsburgh, for the subscription of the capital stock of said company at such time as they may designate, and the same to keep open from day to day, (Sundays excepted) between the hours of ten o'clock in the forenoon and three o'clock in the afternoon, or until at least six hundred shares of stock shall be subscribed for, after which time it shall be lawful for the subscribers to meet, five day's notice of the time and place being previously given in at least two newspapers of the city of Pittsburgh, and choose the first board of directors, who shall act and continue in office until the next annual election.

SECTION 10. That if the whole number of shares authorized by this act shall not be subscribed for at the opening of the books authorized by the ninth section of this act, the directors of said company shall have power from time to time whenever they shall deem it expedient, to re-open the said books at the office of the company, and the same to keep open until the whole number, or any portion of the remaining shares shall have been subscribed for: *Provided*, That no less than ten day's public notice shall be given of such re-opening by publication in at least two daily papers published in the city of Pittsburgh, designating the time of such re-opening, and the number of shares to be disposed of.

SECTION 11. That the payment of said stock shall be made by the subscribers respectively, at such times and in such manner as the stockholders, at any general meeting, or the directors for the time being, shall require: *Provided*, That at least five dollars shall be paid on each share at the time of subscribing: *Provided also*, That before the company shall make any contract or policy of insurance there shall be paid, or satisfactorily secured to be paid, on demand, in money, endorsed notes, mortgages or real estate, hypothecated stock not of said company, or other property, including the amount paid at subscribing, not less than fifty thousand dollars, which amount, and all balances that remain unpaid of the capital stock subscribed, shall be subject to the call of, and disposal by the directors as the exigencies or interest of the company may require.

SECTION 12. That if any subscriber or stockholder shall neglect or refuse to pay any instalment of the stock when called for by the board of directors, they may, after thirty days' public notice thereof, sell at auction so much of the property pledged or given in security for the payment of said stock, or so many of the shares of such delinquent stockholders as shall be necessary to

Proviso.

pay such instalment or instalments, and the expense of sale and transfer, or convey the same by deed or otherwise to the purchaser, or they may recover the same by suit in their corporate name against such delinquent, without delay or stay of execution: *Provided*, That if any shares of the capital stock shall be sold in manner aforesaid, the purchaser, before any assignment thereof, shall pay or cause to be paid in manner aforesaid any balance which may be due thereon.

Insurance on human life.

SECTION 13. That the aforesaid Monongahela insurance company of Pittsburgh, in the city of Pittsburgh, and county of Allegheny, shall have power and it is hereby in them vested to have power and authority to insure and take risk or risks on human life in the usual manner of taking risks of that kind, and said company to have power to regulate the quantity and price of risks according to age and location, as the stockholders or directors may deem most expedient and best calculated to promote the interest of said company: *And provided always*, That nothing herein contained shall be construed or enacted contrary to the laws of the United States or the constitution and laws of this Commonwealth.

Proviso.

Reservation.

SECTION 14. That this act shall be taken and received in all courts and elsewhere as a public act, the Legislature reserving the power to alter, revoke or annul the same whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner however that no injustice shall be done to the stockholders or corporators.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 712.

## AN ACT

To incorporate the Wilkesbarre Gas Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That George M. Hallenbach, George P. Steel, Oliver B. Hillard, Samuel H. Paterbaugh, P. M., C. Gilchrist, Harrison Wright, John Reichard, Ziba Bennet, Charles Dennison and Alexander Gray, and their associates or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate by the name and style of the Wilkesbarre

Style.



Gas company, and by the said name they and their successors shall and may have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this Commonwealth and elsewhere, and also of contracting and being contracted with, relative to the business and objects of the corporation as hereinafter declared, and they and their successors as aforesaid shall have power to lease or purchase in fee simple, such real estate as may be necessary for carrying on the business of said corporation.

Privileges.

SECTION 2. That the corporation hereby created is so created for the purpose, and for such purpose shall have authority of supplying with gas light the borough and township of Wilkesbarre, in the county of Luzerne, and such individuals residing therein and the immediate vicinity as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials with the right to enter upon any of the public streets, lanes, alleys and side-walks in the borough and township of Wilkesbarre and vicinity, for the purpose of laying pipes for the distribution of gas as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them for the same purpose, doing as little damage as possible to private property, and paying for whatever injury may be done by them, and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men on oath, to be appointed by the court of common pleas of Luzerne county, on the application of either party, and the said company shall have the like privileges as to relaying or taking up or repairing the said pipes as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches and restore the said streets, lanes, alleys and side walks and the private property as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

Object.

Proviso.

SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into ten hundred shares of fifty dollars each, with the right to increase said capital stock from time to time as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy-five thousand dollars.

Capital stock.

Proviso.

SECTION 4. That the managers of this company are hereby authorized and empowered, should the same be deemed necessary to borrow any sum or sums of money in their corporate capacity not exceeding twenty thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon, and the said managers shall provide for the payment of the interest upon any loan made under this section, out of the receipts for gas before any dividends shall be paid to the stockholders.

Authority to borrow money.

SECTION 5. That the management and control of the Wilkesbarre Gas company, shall be vested in the persons named in the

Management of affairs.

first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time, and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company, and that the stockholders of said company shall meet annually on the first Monday in May, at such place as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their numbers as aforesaid, a president, secretary and treasurer for said company: The notice of such elections for directors as aforesaid and the manner of conducting the same, to be provided for in the by-laws of said company, and the number of votes that each stockholder shall be entitled to at such election, shall be according to the number of shares owned by such stockholder, to wit: For each share not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; for every five shares above ten shares, one vote, and no share shall confer a right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide in his or her own right, or in the right of his wife, or for his or her sole use and benefit, as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society of which he or she may be a member.

Certificates.

SECTION 6. That said company shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one such certificate signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure in person or by attorney duly authorized, in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Meetings.

SECTION 7. That the board of directors of said company shall meet at such times and places, as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to purchase lands for the gas works and erect the same, to appoint all officers, and employ such assistants as shall be necessary to carry out the objects of this corporation; to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary; to fix all salaries and rates for the use of the gas; to enact by-laws for the proper regulation and government of said corporation, and generally to do such matters, acts and things, as by this act and the by-laws of such corporation they are authorized to do.

Dividends.

SECTION 8. That the board of directors of said company, shall declare dividends of so much of the net profits of the company as shall appear to them advisable, on the first Mondays of June and December of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.



SECTION 9. That if any person or persons shall open a communication into the gas main, or other gas pipe of said company, without authority from the street inspector or authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector, or authorized agent of said company for repairs, or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them the gas without authority aforesaid, he, she or they shall be subject to a penalty of not less than five nor more than fifty dollars, to be recoverable before any justice of the peace, as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to said company. Penalty for opening communication with gas main, &c.

SECTION 10. That if any person shall wilfully or maliciously do, or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending, shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not, Penalty for injury to works. in any way, impair the right of said company to a full compensation in damages by civil suit. Proviso.

SECTION 11. That the price of gas furnished by said company shall be so regulated, as that the dividends upon the capital stock of said company shall never exceed ten per cent. per annum. Price of gas

SECTION 12. That the Legislature may, at any time alter, amend, or repeal the privileges hereby granted: *Provided* however, That no injustice be done to the corporators. Reservation.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 713.

### A N A C T

To authorize Abiram Winton to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Abiram Winton, of the township of Texas, in the county of Abiram Winton to sell real estate.



Wayne, be and is hereby authorized and empowered to sell at public or private sale, for cash or on credit as he may think best, all or any part or parts of the real estate in said county of Wayne, of which Angeline Winton, wife of the said Abiram Winton, died seized, or any legal or equitable interest which the said Angeline had in any such estate at the time of her death, and to convey the same whether sold together or in parts by good and sufficient instrument, in writing, to the purchaser or purchasers thereof, in fee simple, as fully and effectually as the same could be done if the said Angeline were living: *Provided*, That before any such sale shall be made as aforesaid the said Abiram Winton shall give security, to be approved by the orphans' court of Wayne county, conditioned for the proper application of the monies arising from any such sale or sales made in pursuance of the authority hereby given.

Proviso.

Power to execute  
a deed.

SECTION 2. That the said Abiram Winton be and he is hereby authorized and empowered to execute a deed or deeds good and sufficient in law, for conveying the legal title which was in the said Angeline Winton at the time of her decease, to any real estate in said county of Wayne, or to any shares or portions of such real estate which had been sold by the said Angeline Winton, and for which she had received the purchase money, either wholly or in part before her decease as fully and effectually as the same could be done if the said Angeline Winton were now living.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. MCASLIN,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

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No. 714.

## AN ACT

To provide for the erection of a House for the employment and support of the Poor of the County of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph McDonald, Peter Christy, Patrick Shields, John Williams, Robert P. Linton, William Palmer, David O. Harrow, Thomas Adams and Richard J. Proudfoot, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of July, Anno Domini one thousand eight hundred and fifty-four, to determine upon and purchase such real estate as they shall deem necessary for the

Commissioners.

Duties and privi-  
leges.

accommodation of the poor of Cambria county; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor, in the name and for the use of the corporation mentioned in the third section of this act; and they shall certify their proceedings therein, under their hands and seals, to the clerk of the court of quarter sessions of Cambria county, to be filed in his office; and, at the next general election; the qualified electors shall elect three reputable citizens of the said county, to be directors of the poor and of the house of employment for the county of Cambria, for the ensuing year; and the judges of the election of said county shall, immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify, under their hands and seals, the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice, in writing, to the said directors, of their being elected. And the said directors shall meet at the court house in the said county, on the fourth Monday of November next ensuing their election, and divide themselves, by lots, into three classes: the place of the first to be vacated at the expiration of the first year; of the second, at the expiration of the second year; of the third, at the expiration of the third year; so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one third may be chosen annually.

SECTION 2. Every director, elected in the manner aforesaid or appointed as is directed by the eleventh section of this act, shall, within ten days after he is notified of such election or appointment, and before he enters upon the duties of the said office, take an oath or affirmation, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for the said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation, within the time aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors, for the time being, as debts are or shall be by law recoverable. And the directors, qualified as aforesaid, are hereby authorized to administer an oath or affirmation, in any case where it shall be necessary, in relation to the duties of the office.

Qualification of directors.

SECTION 3. That the said directors shall forever hereafter, in name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Cambria, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name style and title of the directors of the poor, and of the house of employment, for the county of Cambria, and by that name shall and may receive, take and hold any lands, tenements and hereditaments not exceeding the yearly value of five thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest, of any person or persons whatsoever, to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of said county, to

Directors to be a body corporate in law, &c



provide all things necessary for the lodging, maintenance and employment of said poor, to appoint a treasurer annually, who shall give bond with full and sufficient security, for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and delivery over to his successor in office of all monies, notes, bonds, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession, and the said directors shall have power to employ, and at pleasure remove a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor, respectively, to bind out apprentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years: *Provided*, That no child shall be bound without the limits of the State, and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor as are not herein granted or supplied, and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure, to alter and renew: *Provided*, That no child shall be bound out for a longer time than until he arrives at the age of eighteen years, unless he be bound out to a trade other than a farmer.

Proviso.

Estimate to be made out.

SECTION 4. That said directors as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and buildings, of erecting the necessary building or buildings, and furnishing the same, and maintaining the poor within the said county, for one year, whereupon the county commissioners of the said county, shall and they are hereby authorized and required to increase the county tax by one-fourth part of the sum necessary for the purpose aforesaid, and shall procure on loan or credit of the taxes herein directed to be levied, the remaining three-fourths thereof to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer, to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

Proviso

Commissioners to be furnished with estimate of expenses

SECTION 5. It shall be the duty of the said directors on or before the first day of November, in each and every year, to furnish the commissioners of said county with an estimate of the probable expenses of the poor and poor house for one year; and it shall be the duty of said commissioners to assess and cause to be collected the amount of said estimate, which shall be paid to said directors, by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall at all times submit to the examination and inspection of said visitors as may be appointed by the court of quarter sessions of said county, all their books and accounts with the rents, interest and moneys, payable and receivable by the said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by or to them.



SECTION 6. That as soon as the said buildings shall have been erected or purchased, and all necessary accommodations provided therein, notice shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Cambria, requiring them forthwith to bring the poor of their respective townships to said house of employment, which order the overseers are hereby enjoined and required to comply with, or otherwise, to forfeit the cost of all future maintenance, except in cases where by sickness or any other sufficient cause any poor person cannot be removed, in which case the said overseer shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal to the said overseers, directing them to maintain such poor until he or she may be in a situation to be removed, and then to convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief and of such removal shall be paid by the said directors.

Notice to overseers of the poor of the different townships.

SECTION 7. The said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief or shall have gained a legal settlement in the said county of Cambria, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Cambria, or to the overseers of the proper township, in any other county in this Commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to administer relief to any poor person, or to permit any person or persons to be maintained elsewhere: *Provided*, The expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the county of Cambria.

Employment of poor.

Provide.

SECTION 8. That the said directors, or any of them, shall be a quorum in all cases to do business, shall have full power to make and ordain such ordinances, rules, regulations, as they shall think proper, convenient and necessary for the government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law, or any of the other laws of this State, or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of quarter sessions, for the time being, of the county of Cambria, and shall have received the approbation of the same.

Quorum.

Provide.

SECTION 9. That a quorum of the said directors shall, and they are hereby enjoined and required, to meet at the said house of employment at least once in every month, and visit the apartments, and see that the poor are comfortably supported, and hear all complaints, and redress, or cause to be redressed, all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Meetings.

SECTION 10. That the said directors shall each of them receive, for their services annually, the sum of thirty dollars, to

Compensation

defray the expenses of their necessary attendance on the duties of their office.

Vacancies.

SECTION 11. That in case any vacancy by death, resignation or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by the appointment of a citizen of their county, to serve until the next general election, when another director shall be elected, as if no such vacancy had happened.

Claims and demands.

SECTION 12. That all claims and demands existing at the time of this act, being carried into effect, shall have full force and effect, as if this act had not passed; and when the same may have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the several townships in the county of Cambria, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Office of overseer abolished.

SECTION 13. That as soon as the poor of the county of Cambria shall have been removed to the house of employment of the said county, and the outstanding taxes collected and paid over the office of overseer of the poor within the said county, shall from thenceforth be abolished.

Certain duties conferred on supervisors of highways.

SECTION 14. That the powers conferred, and the duties imposed on the overseers of the poor in and by an act to empower the overseers and guardians of the poor of the several townships within this Commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in said county of Cambria, except such as are conferred upon the directors by this act; and the justices of the peace and sheriff, within the said county, are hereby required to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time, and in the manner prescribed by the said act for the payment thereof.

Certain expenses to be paid.

SECTION 15. That the commissioners of the said county are hereby authorized and empowered to pay to the persons who are appointed commissioners by the first section of this act, the expenses incurred by them in the performance of their duty; and shall also pay to each of the said directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

Proviso.

Repeal.

SECTION 16. That so much of the laws of this Commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they effect the county of Cambria.

Duty of sheriff.

SECTION 17. That the sheriff of the said county shall in due time, notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act, which place of meeting shall be as near the centre of the county as possible.

Any portion of the territory of the county stricken off not to be affected.

SECTION 18. That if any portion of territory now composing the said county of Cambria, should be hereafter stricken off and a new county be erected out of the same, that portion of said territory so stricken off, shall be entitled to all the use and benefits

of the said poor house, the same as if it still remained a part of the said county of Cambria.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.



APPENDIX—1853.

No. 715.

A N A C T

To incorporate the village of Columbus, in Warren county, into a borough.

Commissioners.

Duties.

Officers of borough.

Fees.

Style.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. H. Ludlow, Carter V. Kinnear, and Rufus P. King, of the county of Warren, are hereby appointed commissioners to survey, define and mark out boundaries to a territory lying in the township of Columbus and county of Warren; said territory to be surveyed or laid out not to exceed one mile from the bridge across the Brokenstraw creek, in the village of Columbus, or from such part or parts of tract or tracts of land, including the village of Columbus, as to them shall appear the most proper and convenient for the purpose hereafter mentioned; and said commissioners shall make return of said survey to the recorder of Warren county, who shall record the same as evidence of said boundaries, and the territory so designated is hereby erected into a borough, to be called the borough of Culumbus.

SECTION 2. That the inhabitants of said borough qualified to vote for borough officers, shall at the place appointed by law for the election of inspectors of the general election, on the first Tuesday of February next, and on the first Tuesday of February in every year thereafter, meet and then and there, between the hours of one o'clock and six o'clock in the afternoon, elect by ballot one citizen, who shall be styled the burgess of said borough, and five other citizens to be members of the town council, and at the first election three school directors, one to serve for one year, one to serve for two years, and one to serve for three years, and thereafter one school director annually.

SECTION 3. That the fees of the burgess and town council shall not exceed in any one year twenty dollars total, but they shall be entitled to such reasonable compensation within said sum for their services in the capacity of borough officers, as each board by a resolution thereof may designate.

SECTION 4. That from and after the first Tuesday of February, Anno Domini, one thousand eight hundred and fifty-three, the burgess and town council duly elected, and their successors in office, shall be one body politic and corporate, by the name, style and title of "The Burgess and Town Council of the Borough of Columbus," and shall have, possess and enjoy all the rights, liberties, franchises and privileges of a borough incorporated in pursuance of an act passed the third day of April, one thousand eight hundred and fifty-one, entitled "An act regulating boroughs;" and the several provisions of said act, so far as

the same are not inconsistent with this act, shall extend to, and be in force within said borough.

SECTION 5. That all streets, lanes and alleys, that were laid out as such on a plat of said village, lying on the east side of the Brokenstraw creek, drawn and surveyed by David Curtis, and all such streets, lanes and alleys, that were laid out as such on a plat of said village, lying on the west side of the creek, surveyed or caused to be surveyed and drawn by L. P. Mather and M. T. C. Fitch, are hereby made public streets or highways.

SECTION 6. That the elections in said borough shall be held at the school house therein, on the east side of the creek.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The third day of February, one thousand eight hundred and fifty-three.

WM. BIGLER.

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No. 716.

## A N A C T

To extend the Charter of the Carlisle Deposit Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Carlisle Deposit Bank be and the same is hereby extended and continued for the term of fifteen years from the expiration of its present charter, subject to all the restrictions, supplements and provisions, and with all the immunities and privileges annexed to its original charter, passed the thirteenth day of April, one thousand eight hundred and forty-six.*

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The fourth day of February, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 717.

## A N A C T

To extend the charter of the Union Railroad and Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acts of Assembly of the twelfth day of June, one thousand eight hundred and thirty-nine, and the eighth day of April, one thousand eight hundred and forty-six, incorporating and extending the Union railroad and mining company, be and the same are hereby re-enacted, and continued in force until the first day of April, one thousand eight hundred and sixty-three: *Provided,* That the said company shall be prohibited from the exercise of any mining privileges, and be confined in their operations to the making of their railroads, leasing their mines and otherwise improving their property.

SECTION 2. That it shall not be lawful for the said company to construct any railroad, under their charter, parallel with any avenue, made or being made by any other company, to take to market the produce of the Big Lick or Bear mountain, without a special act of the Legislature authorizing them to do so.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eleventh day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 718.

## A N A C T

To authorize the Governor to incorporate the Philadelphia and Baltimore Central Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That Joseph Dowdall, E. V. Dickey, John M. Kelton, Joseph Taylor, James Ramsay, William Burns, Mark A. Hodgson, James Strawbridge, John S. Bowen, William Everhart, Nimrod Strickland, Levi W. Hoopes, George Sharp, John Chandler, Charles L. Seal, Thomas Ellicott, William Wheeler, John M. Dickey and Frank-

Commissioners.



lin Taylor, of Chester county, Chalkley Harvey, James M. Wilcox, George Martin and Isaac Watkins, of Delaware county, John P. Harlan, Enos Pennock, Slater Brown, Oliver Caldwell, John P. Wilkinson and John J. Evans, of Lancaster county, and James M'Conkey and Joseph D. Wiley, of York county, Pennsylvania, be and the same are hereby appointed commissioners under the provisions of an act entitled "An act regulating railroad companies," passed the nineteenth day of February, one thousand eight hundred and forty-nine, and with all the powers conferred by said act. Subject to provisions of certain act.

SECTION 2. That the name, style and title of the company hereby authorized to be incorporated under the provisions of said act, shall be "the Philadelphia and Baltimore Central railroad company." Style.

SECTION 3. That the said company when duly organized is hereby authorized to locate, construct and operate under the provisions of said act, a railroad running from a point on the State line of Pennsylvania and Maryland, between Elk creek and the western boundary of Peachbottom township, York county, to a point of intersection on the West Chester and Philadelphia railroad, at or between West Chester and Philadelphia, or to the city of Philadelphia, and it is hereby authorized to make a connection with any railroad leading in the direction of the city of Baltimore, in the State of Maryland, and run their engines, cars and stock over any road with which the company hereby authorized may connect. Object.

SECTION 4. That the capital stock of the said company is hereby authorized to consist of ten thousand shares, of fifty dollars each, and it shall be lawful for the said company upon a vote of the stockholders at any stated or special meeting convened for that purpose, to increase the capital stock to any number of shares not exceeding in the whole twenty thousand shares. Capital stock.

SECTION 5. That the said company shall commence the said road within three years, and complete the same in ten years.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

Commencement  
and completion of  
road

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 719.

## AN ACT

To erect the Town of Patterson, in the county of Juniata, into a Borough; authorizing the sale of certain Real Estate in Lebanon county, and relative to the Collection of Taxes in Franklin county.

Patterson erected into a borough.

Boundaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Patterson, in the county of Juniata, shall be and the same is hereby erected into a borough, which shall be called the borough of Patterson, and shall be bounded and limited as follows, to wit: beginning at the end of the bridge across the Juniata river; thence up the same north twenty-nine degrees west forty-eight perches, to a post; thence north eighty-seven and a half degrees west seventy-one perches, to a post; thence south sixty-six degrees west sixty-three perches, to a post; thence south twelve degrees east seventy-three perches: thence north sixty-eight degrees east nineteen perches, to a post; thence south twenty-three degrees east forty-two perches, to a post; thence north sixty-nine degrees east forty-four perches, to a post; thence north eighty-seven degrees east seventy perches, to the bank of the Juniata river; thence up the same north five degrees west forty-two perches, to the place of beginning.

Meetings of the inhabitants.

SECTION 2. That the inhabitants of said borough entitled to vote for members of the General Assembly, having resided therein one month immediately preceding the election, shall on the third Friday of March next, and annually thereafter on the third Friday of March, meet at the school house in said borough, and then and there, between the hours of ten o'clock in the forenoon and seven o'clock in the afternoon, elect by ballot one of the citizens, who shall be styled the burgess of the said borough, and three other citizens who shall be styled the town council and justice of the peace, which election shall in all respects be conducted in the same manner as is provided for the election of township officers within this Commonwealth, except that the certificates of the election of burgess, town council and auditors shall be filed among the records of the corporation: *Provided*, That in case of the death, resignation, removal or refusal to accept of any of said offices, the vacancy may be supplied by a new election, in all cases where by the existing laws there is not provision made for supplying vacancies by appointments: *And provided further*, That for the first election to be held under this act, it shall be the duty of John J. Patterson, James North and Joseph Middagh, or any one of them, to give notice and perform all the duties enjoined upon constables by the existing laws relative to township elections, and in case no election shall be held on the first day mentioned, they shall appoint some other day and perform the same service, but previous to opening of such election, such of the citizens entitled to vote as aforesaid, as may be present at the time and place of opening the same, shall choose one judge, one inspector and one clerk thereof, who shall be sworn and affirmed in the same manner as is

Proviso.

Proviso.



provided by law for swearing or affirming township officers, and they shall perform the duties required of them by law relative to township elections.

SECTION 3. That from and after the eighteenth day of March, eighteen hundred and fifty-three, the burgess and town council, duly elected, and their successors, shall be one body politic and corporate, by the name and style of the burgess and town council of the borough of Patterson and shall have perpetual succession; and the said burgess and town council, and their successors, shall be capable in law to have, receive, hold and possess goods and chattels, lands and tenements, rents, liberties, jurisdictions, franchises, hereditaments, to them and their successors in fee simple or otherwise, not exceeding the yearly value of five thousand dollars, and also to grant, sell, let and assign the same, and shall be capable in law to sue and be sued, plead and be impleaded in any of the courts of law in this Commonwealth, in all manner of actions whatever, and to have and to use one common seal and the same, from time to time, at their will, to change and alter.

Corporation.

Privileges.

SECTION 4. That the town council shall meet on the first Monday next after their election in each year, at such place as a majority of them shall agree upon; and it shall be the duty of the said council (two of whom shall be a quorum) to hold quarterly meetings on the third Saturday in April, July, October and January, in each year, and oftener, if occasion requires, at which meetings they may enact, alter, revise, repeal and amend all such by-laws, rules, regulations and ordinances as shall be determined by a majority of them necessary to promote the peace, good order, benefit and advantages of said borough, particularly of providing for the regulation of markets, improving, repairing and keeping in good order the streets, lanes, alleys and highways, ascertaining the depth of vaults, sinks, pits for necessary houses, and making permanent rules relative to the foundation of buildings, party walls and fences; they shall assess, apportion and appropriate such taxes as shall be determined by a majority of them necessary for carrying the said rules and ordinances, from time to time, into complete effect, and also to appoint a town clerk, treasurer, street supervisors and a collector, annually, and such other officers as may be deemed necessary from time to time, and the same officers, from time to time, to remove from misdemeanor in office: *Provided*, That no by-laws, rules or ordinances of the corporation shall be repugnant to the constitution or laws of the United States or of this Commonwealth, and that no person shall be punished for the breach of any by-law or ordinance of the said corporation until ten days have expired after the promulgation thereof by at least three advertisements or copies of the said by-laws or ordinances set up in the most public places in the said borough: *And provided also*, That in assessing such tax, due regard shall be had to the valuation of taxable property, taken for the purpose of raising county rates and levies, so that the tax shall not in any one year exceed one cent on the dollar of such valuation; and they shall also have power to make by-laws or ordinances to prevent horses, cattle, sheep or hogs from running at large within the limits of said borough; and also to levy and collect a tax on the owners of dogs and bitches, not exceeding fifty cents for each dog, or two dollars for each bitch in any one year, and in case public safety should require it at any time to pass an ordi-

Meeting of town council and their powers and duties.

Proviso.

Proviso.



Proviso. nance authorizing any person to shoot or kill all dogs or bitches within the said borough, not confined by their owners: *And provided further*, That before the burgess, members of town council and high constable shall enter on the duties of their respective offices, they shall take and subscribe an oath or affirmation before any justice of the peace of said county, to support the constitution of the United States and of this State, and to perform the duties of their respective offices with fidelity, which certificates of said oaths and affirmations shall be filed among the records of said corporation.

Presiding officer. SECTION 5. That in all meetings of the town council as aforesaid, it shall be the duty of the burgess to preside, or in his absence of the member, who may be then present, of the town council first named in the return of the election; and it shall be the duty of the officers of the election to name in their return the names of the persons elected according to the number of persons having the greatest number of votes, and so on; and if any of the persons elected shall have an equal number of votes, then the officers of the election shall decide by lot which of them shall be named first: *Provided*, That in the absence from the borough or inability of the burgess, it shall be the duty of the first named of the town council, who may be present, to perform the duties which are enjoined on the burgess by this act, or which may be enjoined by the by-laws which may be passed in pursuance of the same.

Court of appeal. SECTION 6. That the burgess and town council, or a quorum thereof, shall constitute a court of appeal, and prior to the collection of any borough tax the collector shall inform each inhabitant of the amount of his tax, and the time and place of appeal: *Provided nevertheless*, That the said court of appeal shall have no other power as such than to determine the justice of the apportionment of said tax, and to remedy any grievances that may occur in imposing the same.

Proviso. SECTION 7. That the fourth, seventh, eighth, ninth, tenth, eleventh, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth sections of an act entitled "An act to erect Mifflintown, in the county of Juniata, into a borough, and for other purposes," approved the sixth day of March, Anno Domini, one thousand eight hundred and thirty-three, be and the same are hereby re-instated, and made part of this act as fully as if the same had been included therein section by section: *Provided*, That in the eleventh section thereof the word "Patterson" shall be substituted in room of Mifflintown.

Separate election district. SECTION 8. That the said described borough shall be a separate election district, and that the borough, general and presidential elections shall be held at the place hereinbefore fixed for holding borough elections, at the times fixed by law for holding such elections, and that John J. Patterson and Joseph Middagh are hereby appointed inspectors, and James North judge, to hold the election next ensuing, and that said borough shall be a separate school district, and that a board of school directors be elected at the first borough election after the passage of this act held for said borough.

Real estate of Christian Ley authorized to be sold. SECTION 9. That John Bassler, administrator de bonis non of Christian Ley, late of Lebanon county, deceased, is hereby authorized and empowered to sell at public sale, the real estate of the said Christian Ley, deceased, situated in the county of

Lebanon, remaining unsold: *Provided*, That the said John Bassler, administrator as aforesaid, shall report said sale or sales to the orphans' court of Lebanon county, in which the land so sold be situate, and shall give security for the faithful application of the proceeds of such sale or sales, which report of sale or sales and the security given as aforesaid, shall be approved by the said orphans' court, before any deed or deeds of conveyance shall be executed for the same; and such conveyance or conveyances made as aforesaid, shall vest in the purchaser or purchasers, the same estate in such real estate, as the said Christian Ley, deceased, had and held in the same in his life time, discharged from all judgments and mortgages which may be liens upon said real estate, at the time of said sale or sales.

SECTION 10. That the abatement allowed to tax-payers in the county of Franklin, under the provisions of the act of the twenty-fifth day of February, A. D., one thousand eight hundred and fifty-three, be confined to State tax alone, and that the time for allowing the same to be limited to the twelfth day of July, instead of the first day of August; and in all cases under the provisions of said act, in which constables shall receive taxes from tax-payers without resorting to levy and sale of goods, they shall be entitled to demand and receive from such tax-payers the additional sum of five per cent. on said taxes, to be retained by them as their compensation for such collections.

Abatements of  
tax in Franklin  
county confined to  
State tax

SECTION 11. That the assessors of the different townships, wards and boroughs, in said county of Franklin, in making the extra assessment provided for by the former acts of Assembly, shall certify the name of the person applying to be assessed, with the amount of tax imposed, both for State and county purposes, to the constable discharging the duties of collector, under the provisions of said act of the twenty-fifth of February, one thousand eight hundred and fifty-three; and the said constables shall receive and receipt for all such taxes, which receipt shall be as valid as receipts given by collectors in like cases under existing acts of Assembly.

Duties of assess-  
ors.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 720.

## A N A C T

For the relief of William Chapell, a soldier of the Indian war; authorizing James Hazlet and Sarah Hazlet to sell certain real estate; relative to the old Franklin road, in Allegheny county; and to incorporate the Butler County Semiconan Agricultural Society.

Wm Chappel.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the State Treasurer be and he is hereby authorized and required to pay William Chappell, of Butler county, a soldier of the Indian war, an annuity of forty dollars, during life, to commence on the first day of January, one thousand eight hundred and fifty-three, to be paid semi-annually.

Real estate of  
Francis Anderson

SECTION 2. That James Hazlet, and Sarah Hazlet, his wife, of the county of Allegheny, be and they are hereby authorized to sell, at public or private sale, the following real estate, late the property of Francis Anderson, the father of the said Sarah Hazlet, of Butler county, in the State of Pennsylvania, to wit: a certain tract or parcel of land, situate in Westmoreland county, Pennsylvania, bounded on the north by lands of James Ralston, on the east by lands of Robert Murray, on the south by lands of Thomas Rowan, and on the west by lands of John Hewston, containing ninety-six acres and one hundred and twenty perches, strict measure, being part of the same tract of land bequeathed by the said Francis Anderson, deceased, by his last will and testament, in the following words: "I do also bequeath to my daughter, Jane Anderson, now Jane Murray, Sarah Anderson, now Sarah Hazlet, and Elizabeth Anderson, now Elizabeth Cochran, a certain piece of land in Westmoreland county, Pennsylvania, joining William McGlaughlin's heirs, John Rowan, and joining the heirs of George Anderson, to be as follows, namely, rents and profits proceeding therefrom to be equally divided unto them during their natural lives, and then to fall into the hands of their heirs, equally divided among them," which said tract or parcel of land was amicably partitioned among the above-named devisees, by survey, and mutual deeds of release duly executed and delivered, by which the first described piece or parcel of land was allotted to the said James Hazlet and Sarah Hazlet, and their heirs. And the said James Hazlet, and Sarah Hazlet his wife, are further hereby authorized and empowered, by the authority aforesaid, to make, execute and deliver to the purchaser or purchasers of the said real estate, or any part thereof, a deed or deeds, in fee simple, for the same, upon the payment of the purchase money to them.

Security to be  
given.

SECTION 3. That before any deed is made, the said James Hazlet and Sarah his wife, shall give such securities as the orphans' court of Westmoreland county may direct, for the proper investment and disposal of the purchase money, as in the judgment of the said court may seem right, for the benefit of the said Sarah Hazlet and her heirs.



SECTION 4. That James Highlands, of Allegheny county, and Mathew White and Thomas Bogs, of Butler county, be and are hereby appointed commissioners to review and lay out that part of the old Franklin road from a point at or near Martin Burns, in Allegheny county, to a point at or near Whitestown, in Butler county, on said road, on the nearest and most practicable route, not to exceed three degrees of an elevation. Commissioners to review part of old Franklin road.

SECTION 5. That David M'Donald, B. Black, and John Martin Corporation and others, who have subscribed to the constitution lately adopted by a meeting assembled for to improve the condition of agriculture, be and they are hereby created a body politic and corporate in law, by the name of the "Butler County Semicon agricultural society," and by that name shall have perpetual succession, and have capacity to sue and be sued, and may have a common seal, which at their pleasure may alter or renew; they may take by gift, grant, devise, bequest or otherwise, lands and tenements, goods and chattels, necessary for all the purposes for which the society was instituted: *Provided*, That the annual income therefrom, shall not exceed five hundred dollars, independent of annual contributions by members, and the same to convey, let out, apply and dispose of, for the benefit of the said society, as they, under they charter and by-laws, may direct: *Provided*, That the same shall not be inconsistent with the constitution and laws of this State.

SECTION 6. That this society shall consist of all such persons as are now members, or shall hereafter be admitted as such, agreeably to the by-laws of said society. Membership.

SECTION 7. That the officers of this society shall consist of a president, two vice presidents, a recording and a corresponding secretary, a treasurer and nine managers; the duties of the said officers shall be particularly set forth in the by-laws of said society. Officers.

SECTION 8. That the officers shall be chosen by ballot, at a general meeting of the society, on the last Wednesday of October in each and every year, at such place as a majority at a preceding meeting may direct, and to continue in office for one year, or until their successors be elected. Officers, how chosen.

SECTION 9. That the funds of the society shall be exclusively appropriated to the payment of premiums offered for, and the expenses incurred for the holding of fairs or exhibitions, and defraying the necessary costs attending thereto. Funds, how appropriated.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THOMAS CARSON,

*Speaker of the Senate.*

APPROVED—The nineteenth day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 721.

## A N A C T

To incorporate the Methodist Episcopal Church of Lewisburg, Union county, and relative to the vacating of State roads, in Juniata county.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a corporation is hereby created which shall be called by the name, style and title of “the Methodist Episcopal Church of Lewisburg,” and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and equity, to take, hold and receive to them and their successors, for the use of the said society lands, tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, which are now or shall, or may at any time hereafter, become the property of the said society or to be held for their use, by gifts, grants, bargains, sales, conveyance, devise, bequest or otherwise, from any person or persons whomsoever, capable of making the same, and to grant, bargain, sell, mortgage, improve or dispose of, for the use of the said society: *Provided,* That the yearly value or income of the said estate shall not exceed the sum of three thousand dollars, and shall not be appropriated to any other than benevolent or religious uses.
- SECTION 2. That the business of said society shall be conducted by nine trustees, who shall choose from among their number a president and secretary, and may appoint a treasurer and any other officers they may deem necessary, and until others are or shall be elected, as is hereinafter provided, the following named persons shall be trustees, to wit: Peter Nevins, James Kelly, William Armstrong, Jonathan Wolfe, Byers Ammon, John Chamberlin, Eli Slifer, Peter Beaver and David Gitner, to continue in office until the first Monday in May, one thousand eight hundred and fifty-three, on which day the male members of said society shall elect nine trustees, three for one year, three for two years and three for three years, the term of service to be designated by the electors on their ballots, and their places respectively, shall be supplied by the succeeding annual elections, on the first Monday in May of three persons to serve for three years, and if any vacancies by death or otherwise, shall happen in the office of trustees, the remaining trustees may appoint others, to supply such vacancy or vacancies, until the next annual election, when another trustee or trustees shall be elected, to fill such vacancy or vacancies as may then exist in the board of trustees, and if the society neglect on the said day annually, to hold their election as is hereinbefore directed, the said corporation shall not be dissolved, but a majority of the trustees may appoint any subsequent day on which the election may be held: *Provided,* That at least ten days’ notice may be given in such manner as a majority of the trustees may direct; and any male member of said society, at least twenty-one years

of age, and one year in connection with the Methodist Episcopal church shall be entitled to vote for trustees.

SECTION 3. That the said trustees and their successors shall have full power to enact such by-laws and ordinances as they shall think proper, for the regulation and transaction of the business of the said society, and shall have power also, to change the time of holding the general election, if the same should be deemed advisable: *Provided*, That the said by-laws and ordinances shall not be inconsistent with the constitution and laws of this State or of the United States. By-laws.  
Proviso.

SECTION 4. That the part of the State road laid out from Perrysville bridge, in Juniata county, to Andrew Smith's, in Turbett township, said county, in pursuance of an act of Assembly, approved the twenty-second day of April, Anno Domini, one thousand eight hundred and twenty-nine is hereby vacated. Part of certain  
road vacated.

SECTION 5. That that part of a State road from Perrysville bridge, Juniata county, to the western end of Turbett township, in said county, laid out in pursuance of an act of Assembly, approved the fifteenth day of March, Anno Domini, one thousand eight hundred and thirty-eight, is hereby vacated. Part of certain  
road vacated.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THOMAS CARSON,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 722.

## A SUPPLEMENT

To "An act to incorporate the Pittsburgh Trust and Savings company," passed March thirty-first, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburgh Trust and Savings company shall hereafter be called and known by the name of "The Pittsburgh Trust company," and by that name the said company shall possess all the privileges and franchises originally conferred by the act to which this is a supplement.

SECTION 2. That the provisions of the ninth section of said act authorizing the dividends to be added to the amount of the shares of the capital stock, at the election of the respective stockholders, shall only continue in force until fifty dollars per



share shall have been paid in on the capital stock of said company.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 723.

## AN ACT

Relative to the Philadelphia and Sunbury railroad company ; to the Sunbury Canal company ; to a drain in Northumberland county ; and to an election district in said county.

Terminus of road  
may be changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Philadelphia and Sunbury railroad company, be and they are hereby authorized to change the terminus of their road at the borough of Sunbury, and to fix the same on the Susquehanna river, at any point between Cranberry street, the most northern street in said borough, and the Northumberland bridge, and to purchase and hold in fee simple, as much land as may be necessary for the depot and other buildings of said company.

Basin to be constructed.

SECTION 2. That the said company be and is hereby authorized to construct a basin on the said river, between the points aforesaid, for the shipment of coal and other things, and to connect the same with the Susquehanna river by a lock, for the passage of boats, crafts and lumber to and from the said basin, and supply the same with water from the said river, and may erect wharves, schutes and fixtures at and upon the said basin, use, lease and dispose of the same, and they are hereby authorized to purchase, lease and hold the land necessary for the construction and use of said basin, wharves, schutes and fixtures, and to connect the railroad of the company with the same, and to take, hold and occupy sufficient land for that purpose, compensating the owner or owners of said property, and of the property used and occupied in changing the terminus of the road for the same and the damage done them, or giving adequate security therefor, agreeably to the provisions of the act of the twelfth of April, one thousand eight hundred and fifty-two, entitled "An act in relation to the Pottsville and Danville railroad company."

Name changed.

SECTION 3. That the corporate name, style and title of the president and managers of the Sunbury canal company shall hereafter be "The Sunbury canal company," and by that name and title shall hereafter sue and be sued, and have and enjoy all the corporate rights, franchises, privileges and immunities, and

shall be subject to all the restrictions granted and imposed upon the said company, by the act authorizing the same to be incorporated and the supplements thereto, and the said privileges, franchises and restrictions are hereby renewed and confirmed, and the capital stock of the company shall be ten thousand shares, of twenty dollars each, and the time for the completion of the canal of the said company, shall be and is hereby extended for the period of three years, from and after the passage of this act: *Provided*, That nothing herein contained shall effect the facilities of said company. Proviso.

SECTION 4. That John Kinkead, Jonathan Wolf, George Kramer, William Honsel, Hugh P. Sheller, Benjamin Kline, James Russell, Hugh M'Williams, George Walter, Robert Lyon, and such others that may own lands in Chilisquaque township, Northumberland county, between the Lewisburg cross-cut and Chilisquaque creek, through which a wet draft passes, which, for want of draining renders the land useless to the owners, and by reason of the stagnated water standing on the same, is very detrimental to health, be and are hereby required to make or cause to be made, a ditch or drain through their respective lands, of sufficient breadth and depth to drain said wet draft, and allow the water to pass in the West Branch of the Susquehanna, by a natural course through a piece of land now in possession of Robert Lyon; said ditch not to be less than seven feet in breadth. Owners of property in Chilisquaque township, Northumberland county may make a ditch, &c.

SECTION 5. That if any persons owning lands aforesaid, shall neglect and refuse to make a drain or ditch aforesaid, through his or their respective lands, it shall be lawful for any person owning lands through which said wet draft passes, after ten days notice to said delinquent, to enter upon his land and make or cause to be made at the cost and expense of such delinquent, a drain or ditch through his or their land; and if he refuses to pay the expenses thereof then the person so performing the work, or causing it to be done, may render the same by action of debt in the same manner as like sums are now by law collected. Owners of land refusing to make a ditch, others may do so.

SECTION 6. That if any person owning lands aforesaid, shall not be found within the county, then it shall be lawful to serve the notice and summons on the tenant, which service shall be taken to be as good and valid as if served on the owner of the land; and if no personal property can be found to satisfy the judgment so obtained, then it shall be lawful to enter a certified transcript of such judgment in the prothonotary's office of said county of Northumberland, which shall be a lien on the land of said delinquent. Notice, how served when owners do not reside in the county.

SECTION 7. That this act shall not be construed to take away the remedy by indictment for a nuisance. Nuisance.

SECTION 8. That from and after the passage of this act the qualified voters of Delaware township, Northumberland county, shall hold their general and township elections at the Sinking Spring school house, in said township. Delaware township, Northumberland county.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The second day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 724.

## A N A C T

To incorporate the Erie City Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Williams, J. H. Fullerton, Smith Jackson, Thomas G. Colt, James C. Marshall, Henry Cadwell, C. M. Tibbals, John A. Tracy, William M. Gallagher, John M'Clure, John Scouller, B. B. Vincent, James Miles, Bester Town, John Marvin, Samuel Hutchins, C. Seigle, F. Schneider, Thomas Willis, Joseph M. Sterrett and John Brawley, are hereby appointed and commissioned, and they or any thirteen of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank to be called "The Erie City Bank," to be located in the city of Erie, in the county of Erie, with a capital of two hundred thousand dollars, to be divided into shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini, one thousand eight hundred and fifty, and to be subject to all the restrictions and provisions, and with the immunities contained in the same: *Provided, That* a bonus of two per cent. on the capital stock be first paid into the treasury of the Commonwealth.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THOS. CARSON,

*Speaker of the Senate.*

APPROVED—The fifth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 725.

## AN ACT

To incorporate the Mercersburg and Loudon Turnpike Road Company; relative to Elections in the Borough of Summitville, in Cambria county; authorizing David Fore of Fulton county, and Abraham Zeigler of Perry county, to sell certain Real Estate; and authorizing the construction of a Bridge over Mahoning Creek, in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. James O. Carson, John Wilson, John Murphy, James King, Hartman Dickhout, William McGhey, Jacob Burkholder, John S. Hossler, William McGrath and Hezekiah Easton, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, to stock and organize a company by the name and style and title of "the Mercersburg and Loudon turnpike road company," with power to locate and construct a turnpike road from a point on the public road leading through the town of Mercersburg, Franklin county, in or near said town, to a point on the Chambersburg and Bedford turnpike road, at or near the town of Loudon, in said county, on the best and most eligible route from point to point, as may be determined upon by said commissioners, subject to all the provisions and restrictions of "An act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto. Style. Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road according to the true intent and meaning of this act. Capital stock. Proviso.

SECTION 3. That whenever the said company shall have completed said road, they shall have power to erect toll gates and receive the same tolls per mile as are allowed by the twelfth and thirteenth sections of the aforesaid act, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine. Tolls.

SECTION 4. That if the said company shall not commence the construction of said road within three years, and complete the same within six years from the passage of this act, then this act shall be null and void, except so far as may be necessary to settle up and pay the debts of said company. Commencement and completion of road.

SECTION 5. That the qualified voters of the borough of Summitville, Cambria county, are hereby authorized to hold their general, special and borough elections at the school house in said borough. Summitville, Cambria county.

SECTION 6. That David Fore be, and he is hereby authorized and empowered to sell, at public sale, all the real estate of Jacob Fore, late of Fulton county, deceased, situate in said county, and to make to the purchaser or purchasers thereof a good and Real estate of Jacob Fo

sufficient deed, conveying all the interest of the said Jacob Fore, deceased, at the time of his death, in the land so sold: *Provided*, That the said David Fore shall first give security, to be approved by the orphans' court of the said county, for the faithful application of the proceeds of sale, according to law: *And provided further*, That all sales made in pursuance of the provisions of this section, shall first be approved by said court.

Real estate of  
Albert B. Demaree.

SECTION 7. That Abraham Zeigler, guardian of the person and estate of Albert B. Demaree, a minor child of Abraham B. Demaree, late of Newport, Perry county, deceased, be and is hereby authorized to sell and convey, in fee simple, all the right, title and interest of the said Albert B. Demaree, of, in, and to any lands, tenements or hereditaments, and to make and execute to the purchaser or purchasers thereof, good and sufficient conveyances and assurances in the law for the same; which said conveyances and assurances, shall vest in such purchaser or purchasers, all the estate, right, title and interest, in law and equity, of the said minor, as fully and completely, and with the like effect, as if the said sale or sales and conveyances and assurances thereof, had been made and executed under and by direction of an order or orders of the orphans' court of Perry county, agreeably to the laws of this Commonwealth, providing for the sale of real estate of minors: *Provided*, That said guardian, before any such sale be made, shall give bond to the Commonwealth, with such sureties and such penalty, as the orphans' court of Perry county shall approve, conditioned for the faithful appropriation of the proceeds of such sales, according to his duties as guardian of said minor.

Successor of guardian may have power to sell.

SECTION 8. That in case of the death, removal, or discharge of said guardian by the orphans' court of Perry county, his successor, duly appointed by the said court, shall have power, and is hereby authorized to sell and convey all such lands, tenements and hereditaments of said minor, as shall remain unsold at the time of his appointment, as fully and completely, as is provided for in the next preceding section: *Provided*, That before any such sale be made by him, he shall give bond as required by the said section.

County bridge,  
Armstrong co.

SECTION 9. That the commissioners of Armstrong county are hereby authorized, if they deem it advisable, to construct, and keep in repair, a county bridge over Mahoning creek, at Orr's mills in said county, or to appropriate such sum towards its construction, as they may deem proper.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The sixth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 726.

## AN ACT

To incorporate the Towanda and Franklin Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Cash, John Laporte, Thomas Elliott, J. D. Montanye, D. F. Barstow, Burton Kingsbery, Harry Morgan, E. R. Myer, J. M. Wattly, John Passmore, W. E. Barton, Judson Holcomb, Charles Stockwell, Alexander Dewing, Aaron Chubbuck, Augustus A. Smith, Henry Gibbs, Julius Russell, William H. Winder and Abraham R. Perkins, are hereby appointed commissioners, who, or any five of whom be, and are hereby authorized to open books, receive subscriptions and organize a company by the name, style and title of "The Towanda and Franklin railroad company," with power and authority to construct a railroad beginning at any point on the bituminous coal lands in the townships of Franklin and Monroe, in the county of Bradford, and thence by the most expedient and practicable route to the North Branch canal in the borough of Towanda, with the right of extending said road, or of constructing lateral railroads upon the coal lands aforesaid, to such coal mines in said townships or their vicinity, as from time to time may be found expedient, with the right also to extend said railroad from Towanda to any point or place on the north line of the State of Pennsylvania, in Bradford or Susquehanna counties, east of the Susquehanna river, to connect with the New York and Erie railroad, or any other railroad which may be constructed within the State of New York to the line of this State, in the counties aforesaid, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, so far as the same are not altered or supplied by this act; and the said Towanda and Franklin railroad company shall have the right, subject to the provisions and restrictions of the act aforesaid, to connect their railroad by lateral or branch roads, with the Williamsport and Elmira railroad, to connect with any other railroad constructed or to be constructed in either of the counties aforesaid, which the said company may intersect upon the line of their route.

Commissioners.

Route.

Subject to the provisions of certain act.

SECTION 2. That the capital stock of the said company shall consist of five thousand shares: *Provided*, That the said company, may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital as much in their opinion as may be necessary to complete and equip the said railroad and the extensions, lateral and branch roads, authorized by this act, and carry out the true intent and meaning thereof: *Provided*, The capital stock of said company shall not be increased to an amount exceeding one million of dollars.

Capital stock.

Proviso.

Proviso.

SECTION 3. That whenever any section or sections, of five miles or more, of said railroad shall be completed, the said company may use, occupy and enjoy the same as fully and in the

Use of road.



same manner as if the whole of the said railroad were completed.

Authority to borrow money.

SECTION 4. That said company be and they are hereby authorized to borrow money to an amount not exceeding the capital stock of said company, upon bonds to be issued by said company, secured by mortgage upon so much of the corporate property as shall be deemed adequate for the purpose of such security, whenever the said president and directors shall deem the issue of such bonds expedient: *Provided*, That the rate of interest on such bonds shall not exceed seven per centum per annum, and that said bonds shall be convertible into the stock of the said company, at the option of the holder or holders of said bonds, and that no bond shall be issued for a sum less than one hundred dollars.

Proviso.

Interest to be paid.

SECTION 5. That the president and directors of the said company are hereby authorized to pay the stockholders in the months of January and July, in each year, interest, at the rate of six per centum per annum on all instalments paid by them, and to continue to pay the same until the road shall be completed, and all the profits or earning of said railroad, within the said time, shall be credited to the cost of construction, but no interest shall be paid on any share of stock upon any instalment that has been called for remains unpaid, and the stock of said company shall not be subject to a tax in consequence of the payment of the interest hereby authorized, nor until the net earnings of the company shall amount to at least six per centum per annum upon the capital invested.

Connections authorized.

SECTION 6. That the said company shall have power to connect with any railroad belonging to any other company, using part of said route in any and every case when it may be deemed inexpedient for a time to build the whole of the road authorized by this act, and said company shall have as full power and control over the part or parts built by said company in every respects as if said company had built the whole of the road authorized by this act.

Commencement and completion of road.

Proviso.

SECTION 7. That if the said company, or their successors, shall not commence the construction of their railroad within five years, and complete and open the same for use with at least one track within ten years from the passage of this act, then this charter shall be null and void: *Provided*, That if the said company, or their successors, shall construct that part of their railroad and open the same for use with at least one track, extending from the coal lands aforesaid to the North Branch canal, at Towanda, within five years from the passage of this act, it shall be deemed and held a performance, and avoid any forfeiture of the corporate privileges hereby granted, so far as relates to that part of the railroad extending from the borough of Towanda to the coal lands in the township aforesaid.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 727.

## A N A C T

To incorporate the Meadville Gas and Water company ; to change the name of the Meadville Cemetery, and relative to the Shermansville and Penn Line plank road company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners. George Merriman, David Derrickson, William Gill, James R. Dick, Wilmot Bartle, Ashbell Clark, M. B. Lowry, John M'Farland, or any three of them are hereby appointed commissioners, to do and perform the several things hereinafter mentioned, that is to say, they shall procure a suitable book and therein enter Open books. as follows: "We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Meadville gas and water company, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act to incorporate the Meadville gas and water company;" Witness our hands this            day of            in the year eighteen hundred and            and shall thereupon give notice in two newspapers published in the county of Crawford, for two weeks at least of the time and place, when and where, the said books shall be kept open to receive subscriptions for the stock of the said company, at which time and place one or more of the said commissioners shall attend, and permit all persons of lawful age, who shall offer to subscribe in the said book in their own names, or in the names of any other person who shall authorize the same for shares in said stock, and the said book shall be kept open for the said purpose at least six hours in each juridical day for the space of five days, or until there shall have been subscribed one thousand shares, and if at the expiration of five days the book aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time or go elsewhere with the books and procure subscriptions as the occasion may require, and when the whole number of shares shall have been subscribed then the books shall be closed.

SECTION 2. That when one thousand shares of stock shall have been subscribed, and the sum of five dollars paid on each and Letters patent. every share, the commissioners who have acted or majority of such shall certify to the Governor under their hands and seals the names of the subscribers, and the number of shares subscribed by each and the sums paid thereon, whereupon the Governor shall by letters patent under his hand and the seal of the Commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number of shares as aforesaid, into a body politic and corporate in deed and in law, by the name and style of Style. "The Meadville gas and water company," and by the same

## Privileges.

name the subscribers shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and by said name the said corporation shall have power and authority to manufacture and sell gas, to be made of bituminous coal or other materials for the purpose of lighting the streets, buildings, manufactories and other places in the borough of Meadville, and to purchase, have, hold, receive and enjoy to them and their successors lands, tenements and hereditaments, goods, chattles and all estate real and personal, or mixed of what kind or quality soever, and the same from time to time to sell, mortgage, grant, alien or dispose of, and to make dividends of such portions of the profits as they may deem proper, and also to make and have a common seal, and the same to alter or renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws of the United States or of this Commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do, for the well being of the said

## Proviso.

corporation: *Provided*, That nothing herein contained shall be considered as in any way giving to the said corporation any banking privileges whatever, or any other privileges, liberties or franchises, but such as may be necessary or incident to the making of gas and the distribution thereof, and in supplying the citizens of the borough of Meadville with water: *Provided*

## Proviso.

*further*, That the said company shall at no time hold or possess any land for any other purpose, than the construction thereon of the necessary works and offices of the said company.

## Meetings of subscribers

SECTION 3. That the said named commissioners, or a majority of them, shall, as soon as conveniently may be after the said letters patent shall have been obtained, give at least two weeks previous notice in the newspapers hereinbefore mentioned, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy (which proxy shall have been obtained and bear date within four weeks previously to the election at which such proxy shall be presented) duly authorized, one president and six managers. The president and managers aforesaid shall conduct the business of said company until the first Wednesday in January thereafter.

## Duty of president and managers.

SECTION 4. That it shall be the duty of the president and managers, as soon as may be after the company shall be organized, to proceed to bring, introduce and convey water into the borough of Meadville aforesaid, from such source, stream or springs as may be fixed upon or purchased by the president and managers, for that purpose, by means of pipes or otherwise; and for these purposes they may enter into such lands and enclosures as may be necessary, and to put up works, and to dig, ditch, and lay pipes in and through the same, the company doing as little damage as possible to private property, and paying for whatever injury shall be done by them; when the parties cannot agree, according to an assessment made by three disinterested persons, to be appointed by the parties on application, by the court of common pleas of the county of Crawford, who shall be duly sworn or affirmed justly and truly to make such assessment. And the said president and managers shall at all times



have liberty to renew and repair the works, pipes, et cetera, wherever erected or laid, on or through private property, doing as little damage as possible; and also shall have liberty, at all times, to dig and lay pipes along the streets, roads and highways of the said borough and its vicinity, and to renew and repair the same as often as occasion may occur, shutting up and mending any breaches which they may make, as soon as possible.

SECTION 5. That the stockholders shall meet, annually, on the first Wednesday in January, and on the same day and month annually thereafter, at such place as may be fixed upon by the by-laws, of the time and place of which meeting notice shall be given, at least two weeks previously, in the newspapers aforesaid, and choose by ballot, by a majority of votes present, their officers for the ensuing year, as mentioned in this act, which officers so elected shall continue in office for one year, or until a new election shall be had; and the stockholders shall also meet at such other times, either upon the requisition of the managers or of any stockholders who own in the aggregate one hundred shares, as they may be summoned to meet by the said managers or stockholders, in such manner and form as shall be prescribed by the by-laws, at which annual or special meeting they shall have full power and authority to make, alter or repeal, by a majority of votes present, in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform every other corporate act. And the number of votes to which each stockholder shall be entitled, at all elections and upon all questions submitted to any annual or special meeting of the said stockholders, shall be according to the number of shares he or she shall hold, in the proportions following, that is to say, for each share, not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting, which shall not have been holden two calendar months prior to the day of election, nor unless it be holden by the person in whose name it appears absolutely and bona fide, in his or her own right, or in the right of his wife, or for his or her sole use and benefit, as an executor, administrator, trustee or guardian, or in the right and for the use and benefit of some co-partnership, corporation, or society of which he or she may be a member, and not in trust for and to the use and benefit of any other person: *Provided*, That no person shall be permitted to vote at the first election of said company, unless he or she has fully paid five dollars on each share of stock by him or her subscribed, as directed by the second section of this act. And at all subsequent elections of said company, no person shall be permitted to vote unless he or she shall have fully paid all the instalments called for and then due on the shares by him or her subscribed; and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An act to regulate proxies."

Meeting of stockholders.

Proviso.

SECTION 6. That the election of officers provided for in this act, shall be conducted in the following manner, that is to say, the managers for the time being shall appoint two of the stockholders, not being managers, to be judges of the said election and to conduct the same, who, before undertaking so to act,

Election of officers, how conducted.

shall severally take and subscribe an oath or affirmation, before a justice of the peace or alderman, well and truly, according to law, to conduct such election to the best of their knowledge and abilities; and the said judges shall decide upon the qualifications of the voters, and when the election is closed (which shall be and remain open at the office of the company, in the borough of Meadville, from twelve o'clock M. to three o'clock P. M.) shall count the votes, and the stockholders having the highest number of votes shall be declared duly elected. And if it shall at any time happen that an election of president or managers shall not be made, the corporation shall not, for that cause, be deemed to be dissolved; but it shall be lawful to hold and make such election of president or managers on the same day, or any other day thereafter, giving at least ten days' notice, signed by the president, in the newspapers before mentioned, of the time and place of holding such election; and they are hereby required so to do at least once in every twenty days, till the requisite officers are chosen; and the president and managers of the preceding year shall, in that case, continue to act, and be invested with all powers belonging to their respective stations, until an election shall take place. In case of the death or resignation, or removal from the State, of any president, manager, or other officer, his place shall be filled by the board of managers until the next annual election: *Provided*, That none but stockholders shall be eligible to be elected president or managers.

Proviso

Meeting of president and managers.

SECTION 7. That the president and managers shall meet at such times and places as shall be found most convenient for the transacting of their business, four of whom shall be a quorum, who, in the absence of the president, may choose a president pro tem., and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to buy land for the gas and water works, and erect the same, to appoint all such architects, surveyors, chemists, superintendents and other artists and officers as they shall deem necessary to construct and carry on the intended gas and water works, and to fix their salaries and wages, to enter into and execute contracts or covenants, in relation to the objects of said corporation, and to enforce the same, to ascertain the time, manner and proportions in which the said stockholders shall pay the monies due on their respective shares, to draw orders on the treasury for money, which orders shall be signed by the president, or in his absence by the president pro tem., and countersigned by the secretary, and generally to do all such other acts and matters and things as by this act and by-laws and regulations of the company they are authorized to do.

Authority to borrow money.

SECTION 8. That the said company shall have power, from time to time, to borrow money if the board of managers shall so determine, to an amount not exceeding fifty thousand dollars, and to make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation for the security of the re-payment of the amount borrowed, or give such other evidences of indebtedness as may be agreed upon.

Certificates of stock.

SECTION 9. That the president and managers first chosen shall procure certificates or evidence of stock for all the shares of the said company, and shall deliver one such certificate signed by the president and countersigned by the secretary, and sealed with the common seal of the said corporation to each person,



for such share or shares as by him are subscribed and held, which certificate or evidence of stock shall be transferable at pleasure, in person or by attorney duly authorized in the presence of the president or secretary, in a book to be kept by the said corporation for that purpose, subject, however, to all payments due or to become due thereon; and the assignee holding any certificate transferred as aforesaid, shall be a member of said corporation, and for every certificate assigned to him as aforesaid, shall be entitled to a share or shares as is therein mentioned, of the capital stock of all the estates and emoluments of the corporation, incident to such share or shares, and to vote as aforesaid, at the meetings thereof, and subject to all penalties and forfeitures, and of being sued for all the balance and penalty due or to become due on each share, as the original subscriber would have been.

SECTION 10. That if after twenty days' notice in the public papers, as aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the works of the company, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to the instalment so called for, pay at the rate of two per centum per month for the delay of such payment, and if the same and the additional penalty shall remain unpaid for such space of time as that, the accumulated penalty shall become equal to the sum or sums before paid in part, and on account of such share or shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same; that in default of payment by any stockholder of any such instalments as aforesaid, the president and managers may at their election cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid; that in case of the transfer or assignment of any such share or shares, on which default has been made, as aforesaid, the president and managers of the said corporation may bring suit as aforesaid, either against the person who assigned or transferred the said share or shares, or the person to whom such transfer or assignment was made, for the recovery of any unpaid instalment, together with the penalty aforesaid.

Penalty for neglect to pay instalments.

SECTION 11. That the company shall have power and authority, and is hereby empowered and authorized, to erect gas posts, burners and reflectors, water tanks and spouts, and all things necessary thereunto, to dig such trenches in, along and across the public streets, lanes, alleys, canals and side-walks in the borough of Meadville, under the direction of the borough council, for the purpose of laying their pipes for the distribution of gas or water, as the said company may deem necessary: *Provided*, That the said company shall fill up said trenches and restore the said public roads, streets, lanes, alleys and side-walks, to as good condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.

Gas posts and burners.

SECTION 12. That if any person or persons shall open a communication into the street gas main, or other gas or water pipe of the said company, without authority from the inspector, or

Penalty for opening communications into gas main, &c.



other authorized agents of the said company, or shall let on the gas or water after it has been stopped by order of the said inspector or other authorized agent of the said company, for repairs or any other cause or purpose, or shall put up any pipes or burners, in addition to the pipes or burners originally put up and inspected, and introduce the gas or water into them without authority as aforesaid, he, she or they shall be subject to a penalty of not less than fifty, nor more than one hundred dollars for each and every such offence, to be recovered as debts of like amount are recoverable in law, one half to be paid to the informer, and the other half to the said company.

Penalty for  
injury to works.

SECTION 13. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction, or works of said company, or any gas or water pipe, gas or water post, burner, or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and being thereof indicted and convicted in the court of quarter sessions, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not in any wise impair the right of action for damages by a civil suit, hereby authorized to be brought for any such injury as aforesaid, by and in the name of the said corporation, in any court in this State having cognizance of the same.

Change of name.

SECTION 14. That the corporate name of the Meadville Cemetery, incorporated by act of Assembly, approved the eleventh day of March, one thousand eight hundred and fifty-two, shall hereafter be "Greendale Cemetery," and by that name and style hold the land and tenements heretofore purchased in the name of the Meadville Cemetery, and have power to purchase and hold any additional quantity not exceeding in the whole one hundred acres, and to dispose and convey such portions thereof, as may not be necessary for burial or ornamental purposes: *Provided*, The price received therefor shall be specifically appropriated and used in ornamenting said cemetery grounds.

Tolls.

SECTION 15. That the Shermansville and Penn Line Plank Road company may have put up gates and collect tolls on said road, as soon as three and one half miles of their road is finished.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 728.

## A SUPPLEMENT

To the act incorporating the Northwestern Railroad Company; relative to the account of Levi Tate, of Columbia county, and authorizing Abed Baldwin to sell certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Northwestern railroad company, shall have the right to extend their road, and connect with the Allegheny Portage or Pennsylvania railroad, at any point in the county of Cambria, if the president and directors of said company shall deem it expedient so to do. Connections authorized.

SECTION 2. That the city of Philadelphia is hereby authorized to subscribe to the capital stock of the Northwestern railroad company, for any number of shares not exceeding fifteen thousand shares, and to borrow money to pay therefor, and to make provision for the payment of the principal and interest of the money so borrowed, as in other cases of loans to said city; or payment for said shares may be made in stock held by said city, and in such mode as shall hereafter be agreed upon by said city and said Northwestern railroad company; and the said city may be represented at elections and other meetings of said company, by agents, duly authorized to act by resolution of the councils thereof: *Provided*, That no bond or certificate of loan shall be issued in pursuance of this section, of a less denomination than one hundred dollars: *And provided further*, That any corporation that shall be possessed of five thousand shares or more in the capital stock of said company, shall, in lieu of voting at the general elections of said company, be entitled to elect by the constituted authorities thereof, one manager for each and every five thousand shares held by said corporation: *And provided further*, That no corporation shall be entitled to elect more than three managers, and a majority of the board of managers shall at all times be elected by the private stockholders. City of Philadelphia authorized to subscribe

SECTION 3. That if it shall appear to the Auditor General and State Treasurer that Levi L. Tate, of Columbia county, has paid to any officer entitled to receive the same, any claim this Commonwealth may have against him, then and in that case, the Auditor General is hereby authorized and required to settle his account, and strike his name from the list of defaulters to this Commonwealth. Levi L. Tate

SECTION 4. That Abed Baldwin, guardian of Delia Worthington and Adelaide Kellogg, formerly Adelaide Worthington, minor children of Thomas B. Worthington and Hannah R. Worthington, deceased, and heirs at law of the said Hannah R. Worthington, deceased, or such other person as shall hereafter be appointed guardian of the same minor heirs, be and he is hereby authorized and empowered to sell and dispose of, either at public or private sale, all the right, title, interest, property, claim and demand whatsoever, of them the said minors at law, in equity or otherwise howsoever, of, in and to all that certain Real estate to be sold.

piece or parcel of land situate in the township of Dallas, county of Luzerne, and State of Pennsylvania, and bounded and described as follows: beginning at the north-eastern corner of lands of Peter Ryman; thence south thirty-four degrees east sixty-four and five-tenths perches to the north-eastern corner of lands of Philena Baldwin; thence south fifty-six degrees west one hundred and six perches to a corner; thence north thirty-four degrees west one hundred and five and five-tenths perches to a corner; thence north fifty-six degrees east fifty-one perches along the line of lands belonging to the heirs of Isaac Baldwin to a corner; thence south thirty-four degrees east forty poles to a corner; thence north fifty-six degrees east fifty-five poles to the place of beginning; containing fifty-five acres and one hundred and forty-three perches, more or less, of which the interest of the said Adelaide is the equal undivided half of the whole in fee simple, and the interest of the said Delia is the equal undivided half of the whole in fee simple, and which said premises were devised by Griffin Lewis, deceased, the grandfather of the said Adelaide and Delia, to their mother, the said Hannah R. Worthington, deceased, (formerly Lewis,) and in her right descended to them, a deed or deeds of conveyance therefor, executed, acknowledged and delivered by the said guardian to the purchaser or purchasers, his her, or their heirs or assigns, shall be deemed and taken to pass and convey all the estate, right, title and interest of the said minors and each of them, whatever it may be, of, in and to the same, and to have the same force and effect as if the said minors were of full age, and the same duly executed and delivered by them: *Provided*, That no deed or deeds shall be made till the guardian shall make report of the sale or sales to the orphans' court of Luzerne county, and the same shall be approved of and confirmed by the said court, and the said guardian shall give security, to be approved of by the said court, for the faithful application or investment of the proceeds of sale for the benefit of said minors.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 729.

## AN ACT

Authorizing the Columbia Bank to subscribe to the capital stock of the Columbia and Wrightsville Bridge Company; authorizing the Green Tree and Christiana Turnpike Road Company to extend their road, and incorporating the Ephrata Mountain Springs Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Columbia Bank to subscribe for and hold one thousand shares of stock in the Columbia and Wrightsville bridge company, as other subscribers and stockholders may do, and also, that any of the officers and directors of the said Columbia bank may be officers and directors of the Columbia and Wrightsville bridge company.

Columbia Bank  
to subscribe stock

SECTION 2. That the stockholders of the Columbia and Wrightsville bridge company, are hereby authorized to elect one president, twelve directors or managers, and a treasurer and secretary, instead of the number heretofore authorized.

Stockholders of  
Columbia and  
Wrightsville  
Bridge company  
to elect officers.

SECTION 3. That it shall and may be lawful hereafter, for the stockholders of the Columbia Bank to vote by proxy at elections, for directors thereof, to the same effect and in the same manner as they were authorized to do by the act of twenty-eighth March, one thousand eight hundred and twenty, entitled "An act to regulate proxies;" and by the fourth article of the third section of the act of twenty-seventh March, one thousand eight hundred and twenty-four, entitled "A supplement to an act, entitled 'An act to authorize the Governor of this Commonwealth to incorporate a company for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia.'"

Stockholders of  
Columbia Bank  
to vote by proxy

SECTION 4. That the Green Tree and Christiana turnpike road company are hereby authorized to extend their road from the Green Tree tavern, in Bart township, to the village of Quarryville, in said township, and for this purpose they are authorized to increase their capital stock to such an amount as may be necessary to construct the additional road hereby authorized: *Provided,* That in constructing said extension, the company shall be subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, in the year of our Lord, one thousand eight hundred and forty-nine, and the supplement thereto.

Extension of road

Proviso

SECTION 5. That Joseph Koniginacher, John B. Myers, Moses Pownell, William Struthers, Joseph B. Myers, Emanuel C. Reigart, Adam Konigmacher, George M. Steinman, James Buchanan, Jesse R. Burden, Jeremiah Bauman, Charles Matthews, George Boldin, Samuel Mehaffy, Cyrus S. Haldeman, Benjamin Mishler, Benjamin C. Bachman, Christian Smith, Daniel Herr, Edward C. Darlington, Esais Kinzer, George W. Hamersly, Isaac E. Hiester, Thomas E. Franklin, or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties, that is to say, they shall at

Commissioners

Open books.

such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed, and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken.

Capital stock.

SECTION 6. That the capital stock of said association shall be two hundred thousand dollars, in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws.

Letters patent.

SECTION 7. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the Governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid, whereupon the Governor shall by letters patent, under his hand and the seal of the Commonwealth, create and constitute the said subscribers and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate in deed and in law, by the name, style and title of "The Ephrata Mountain Springs association," and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise; may make, have and use a common seal, and the same may alter and amend at pleasure; may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution and laws of the United States and this Commonwealth, and generally may do all and singular, the matters and things necessary for the well being and due management of said corporation, and also as such shall have power to purchase the watering place known as the Ephrata Mountain Springs, and the lands thereto belonging, and make such improvements to and upon the same as to said corporation may seem expedient and proper, for the purpose of accommodating and amusing the visiting public, and said springs, buildings and grounds, shall be held by said association as a public watering place, and for no other purpose whatsoever: *Provided*, That the stockholders in said corporation shall be liable in their individual capacity and estates, for all the debts created and liabilities incurred by the corporation: *And provided further*, That said corporation shall exist for twenty-eight years and no longer.

Meetings of subscribers.

SECTION 8. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners



who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet, for the purpose of organizing the association, giving at least three weeks' notice thereof in at least one paper published in the city of Lancaster, one paper published in the city of Philadelphia, and one paper published in the borough of Harrisburg; and the subscribers, when met at the time and place so appointed, shall elect by a majority of the votes given in person or by proxy, a president and six directors, who shall manage the affairs and business of said association until the first Monday of July then next ensuing, and until others are chosen: *Provided*, That no person shall be eligible to the office of president or director, who does not own at least five shares of stock: *And provided further*, That in case of the resignation or death of the president or any director, the remaining directors shall, by a majority of the whole board, supply the vacancy until the next annual election.

Proviso.

Proviso.

SECTION 9. That dividends of so much of the profits of the company, as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such times and places as may be provided by the by-laws.

Dividends.

SECTION 10. That the elections of directors shall be conducted as follows, to wit: At the first election the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election, and to hold the same; and at every succeeding election the directors, for the time being, shall appoint three stockholders, who shall not be directors nor candidates, for the like purposes; and the persons so appointed by the commissioners or directors, shall respectively take and subscribe an oath or affirmation before any officer competent to administer an oath, well and truly, and according to law, to conduct such election to the best of their knowledge and ability; and the said judges shall decide upon the qualification of voters, and when the election is closed, shall count the votes, and declare who have been elected, and certify the same, at the first election, to the commissioners who appointed them, and at all subsequent elections, to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not, for that reason, be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the city of Lancaster; and the directors of the preceding year shall, in that case, continue in office with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to one vote, and each ballot shall have endorsed thereon the number of shares thereby represented; no proxy shall be received, or entitle the holder to vote at any election or general meeting, unless the same shall bear date, and have been duly executed within three months next preceding such election or general meeting.

Election of Directors, how conducted

SECTION 11. That the annual election for president and directors of said association, shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary, at least two weeks previously, in at least one paper published in the city of Lancaster.

Annual election



By-laws.

SECTION 12. That the stockholders of said association shall have power, at any general meeting for the election of president and directors, or any meeting called for the purpose, may alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given, by publication, for six weeks previous to said meeting, in at least one paper in the city of Lancaster.

Proviso.

Banking privileges prohibited.

SECTION 13. That nothing in this act contained, shall be construed to authorize the said association to engage in any banking business.

Reservation.

SECTION 14. That the Legislature reserves the right to alter, revoke or annul the privilege and charter hereby granted, whenever the same shall become injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporation.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 730.

## AN ACT

To incorporate the Columbia and Octorara Railroad.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John J. Porter, Thomas Neale, Joseph Shock, A. Bitner, James M. Hopkins, John C. Walton, John Strohm, William Carpenter, E. C. Darlington, Jacob M. Mayer, William C. Worth of Lancaster county, and Samuel B. Thomas, Henry S. Evans, S. J. Dickey of Chester county, be and they are hereby appointed commissioners under the provisions of an act entitled "An act regulating railroad companies," passed the nineteenth February, one thousand eight hundred and forty-nine, with all the powers conferred by said act.

Subject to provisions of certain act.

Style.

SECTION 2. That the name, style and title of the company hereby authorized to be incorporated under the provisions of said act shall be "the Columbia and Octorara Railroad company."

Powers.

SECTION 3. That the said company, when duly organized, is hereby authorized to locate, construct and operate under the provisions of said act, a railroad, running from the borough of Columbia, in Lancaster county, by way of Washington borough, and the vicinity of Safe Harbor, to intersect the Philadelphia and

Baltimore Central railroad, or any other railroad that is or may be hereafter incorporated at any point in Chester or Lancaster counties, south of the Philadelphia and Columbia railroad, and it shall be lawful for said company to make such lateral roads or branches not exceeding ten miles in length leading from the main road, in either of said counties, as the directors may deem expedient.

SECTION 4. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each, and it shall be lawful for the company, upon a vote of the stockholders at any stated or special meeting convened for the purpose, to increase the capital stock to any amount not exceeding twenty thousand shares in the aggregate. Capital stock.

SECTION 5. That if said company shall not complete and open their road within ten years after the passage of this act then the same shall become null and void. Commencement and completion of road.

SECTION 6. That said company be and it is hereby authorized to borrow any sum of money necessary to complete the road, not exceeding the capital stock thereof: *Provided*, No bonds shall be issued for a less sum than one hundred dollars. Authority to borrow money.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 731.

## A SUPPLEMENT

To the act, entitled "An act to incorporate the Norristown and Freemansburg Railroad Company," passed the twenty-third day of April, Anno Domini, one thousand eight hundred and fifty-two; relative to the sale of the Skippack Literary Hall; to extend Girard Avenue, in the county of Philadelphia; to vacating certain old streets and roads, in the district of Spring Garden, Philadelphia county; to certain election districts; attaching Potter county to the eastern district of the Supreme Court, and to elections in the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Norristown and Freemansburg railroad company shall have the right to build or construct a railroad beginning at the borough of Norristown, in Montgomery county; thence by the nearest and best route to or near Freemansburg, or any other point in Northampton county, without regard to any of the intermediate points named in the third section of the act, entitled "An act to incorporate the Norristown and Freemansburg railroad company," passed the twenty-third day of April, Anno Domini, Right to build and construct a railroad.



one thousand eight hundred and fifty-two, and the said company shall have the right if deemed expedient and advisable by the president and directors thereof, instead of making Freemansburg, or a point near it or any other point in Northampton county, a terminus to build or construct a railroad, beginning at the said borough of Norristown; thence by the nearest and best route to or near the borough of Allentown, in Lehigh county, and the said company shall have the right to connect at or near the borough of Norristown, with the Philadelphia and Reading railroad, and with the Philadelphia, Germantown and Norristown railroad or either of them; and also the right to extend the said road so as to connect with the Philadelphia and Reading railroad; and also the right to construct bridges over the river Schuylkill, where necessary to make any of the said connections; and also with the right to connect with the Delaware, Lehigh, Schuylkill and Susquehanna railroad, or any other road now constructed or hereafter to be constructed, at or near the borough of Allentown, in Lehigh county, or at or near Freemansburg, or any other point in Northampton county.

Increase of capital stock.

Proviso.

Proviso.

Proviso.

Extension of time.

Use of road.

Interest to be paid

SECTION 2. That the said Norristown and Freemansburg railroad company may from time to time, by a vote of the stockholders, at a meeting convened for the purpose, increase their capital stock, so much as in their opinion, may be necessary to complete and equip the said railroad, and to carry out the true intent and meaning of the preceding section of this act: *Provided*, That the capital stock shall at no time exceed sixty thousand shares of fifty dollars each: *And provided further*, That for the purpose of completing and equipping the said railroad, the said company shall have the power of borrowing any sum not exceeding two millions of dollars, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds and mortgage of the said railroad, together with all the corporate rights and franchises granted or hereafter to be granted to the said company, and to annex to the said bonds and mortgage the privilege of converting the same into capital stock of the said company at par, at the option of the holders, if they shall signify their election in writing, so to convert the same one year before their maturity: *Provided*, That the said company shall issue no certificate of loan of less denomination than one hundred dollars.

SECTION 3. That the time limited by the third section of the act entitled "An Act to incorporate the Norristown and Freemansburg railroad company," passed the twenty-third day of April, Anno Domini, one thousand eight hundred and fifty-two, for commencing the said railroad, is hereby extended for the further period of four years after the expiration of the time in the said section limited.

SECTION 4. That whenever any section or sections of five miles of the said railroad or any greater length be completed, and also in every case in which it shall be deemed inexpedient to construct the whole road authorized by this act, for the time being the said company may use, employ and enjoy the part constructed or built in the same manner as if the said company had built the whole of the road authorized by this act.

SECTION 5. That the president and directors of the said railroad company be and they are hereby authorized to pay to the shareholders, entitled to receive the same, in the months of January and July, in each year interest at the rate of six per



centum per annum on 'all the instalments paid by them, and continue to pay the same until the road shall be completed and the profits or earnings of the said railroad, within the same time, shall be credited to the cost of construction, and all interest paid shall be charged to the cost of construction: *Provided*, That the interest shall not be paid upon any share of stock upon which any instalment which has been called for remains unpaid: *Provided further*, That the stock of the said company shall not be subject to any tax in consequence of the payment of interest hereby authorized, nor until the net earnings shall realize at least six per centum per annum upon the capital invested.

Proviso.

Proviso.

SECTION 6. That Jacob G. Sarver, William Reiff and Francis B. Poley, or their successors in office, trustees of the Skippack association for the promotion of useful knowledge, be and they are hereby authorized and empowered to sell at public sale that certain tract or lot of land, and all the buildings and appurtenances thereto belonging, located in Skippackville fronting on the Skippack road, and bounded by the lands of Daniel Springer, Henry D. Swartly and Francis B. Poley, containing eleven and one-ninth square perches, the property of the aforesaid association, and also to execute a good and sufficient title for the said lot of land.

Real estate to be sold.

SECTION 7. That within one year after the date of the aforesaid sale, it shall be the duty of the aforesaid trustees or their successors in office, to pay or cause to be paid unto each and every person subscribing to the building fund of said hall the full amount so subscribed, and also to pay off the loan which was contracted to finish said hall: *Provided*, That if the aforesaid property bring more than the original cost of the hall or building with its desks, benches, et cetera, the said surplus shall be paid over to the legal heirs or representatives of Henry Swartly, deceased, the donor of the aforesaid lot or tract of land.

Duties of trustees

Proviso.

SECTION 8. That from and after the passage of this act it shall be lawful for a majority of the board of commissioners of the district of Penn, in the county of Philadelphia, and they are hereby authorized whenever they shall deem it expedient and proper to enter upon, dig up and open for public use any part of Girard Avenue, lying west of and extending from twenty-ninth or Landing street, in the said district along the route of the said Girard Avenue, as now laid down on the plan of the said district to the river Schuylkill, with full power and authority to alter and change the grade of the said Girard Avenue, and other streets crossing or leading into the same, as they may deem necessary for the purpose of crossing Pennsylvania Avenue, in the said district over and above the level of the Reading railroad track, and to regulate the elevation of the same as they may deem expedient for the safety of the traveling public, and to alter the line or grade of the said Girard Avenue, as may be deemed necessary for the purpose of conforming to the location and elevation of the free bridge now about to be erected across the Schuylkill river at or near the same: *Provided however*, That before they shall enter upon, open or dig up any ground not now dedicated to public use, they shall give security in such sum or sums and in such manner as shall be approved by the court of quarter sessions of the said county, for the payment of such damages as may be sustained by the owners of the soil through which the said Girard Avenue is laid out, and the said court of quarter sessions is hereby required to appoint six disinterested

Duties of Commissioners of Penn District.

persons as jurors, who shall be governed in all respects as road jurors by law now are governed, whose duty it shall be to assess any damages that the owners of the land may sustain by reason of the opening thereof, and on their report being approved by the said court of quarter sessions, the said damages if any shall be paid by the said the district of Penn.

Streets, lanes and  
alleys in Spring  
Garden district.

SECTION 9. That all the old streets, roads and alleys, formerly laid out in that part of the district of Spring Garden, between Falmer street and Landing Avenue, and between Coates street and the northern boundary of the district, and not laid down on the revised plan of the said district, be, and the same are hereby vacated and set aside forever, and the soil over which the said streets, roads and alleys was laid, is hereby vested in fee simple in the owner or owners of the adjoining ground; each owners lines being extended to the middle of the said street, road or alley so vacated, on which his, her or their property is bounded.

Pennock street.

SECTION 10. That a street forty feet in width, to be called Pennock street, be, and the same is hereby laid out between and equidistant from Warder street and Esher street, from Pennsylvania Avenue to Poplar street, and another street forty feet in width, to be called Newkirk street, be, and the same is hereby laid out between and equidistant from Warder street and Landing Avenue, from Brown street to Poplar street.

Sewickly town-  
ship, Beaver  
county.

SECTION 11. That all that part of New Sewickly township, Beaver county, heretofore known and denominated New Brighton district, be, and the same is hereby made part and portion of New Brighton borough election district, for general election purposes only.

South Beaver  
township, Beaver  
county.

SECTION 12. That the place of holding general and township elections in South Beaver township, county of Beaver, shall hereafter be at the house of John Howe, in said township.

Potter county at-  
tached to Eastern  
district of Su-  
preme court.

SECTION 13. That hereafter the county of Potter shall be attached to and become part of the Eastern district of the Supreme court of Pennsylvania, and the writs of error appeal from the courts of said county, shall be made returnable at the March term of said Supreme court, on such day in March or April, as said court may direct.

Compensation  
of judges, &c., in  
Philadelphia  
county.

SECTION 14. That the judges, inspectors and clerks of the general and special elections in the city and county of Philadelphia, shall hereafter receive for their services five dollars each for conducting any of said elections.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 732.

## AN ACT

Relative to Road Taxes, Strays and Registering and Recording official papers in the county of M'Kean; appointing commissioners to repair the East and West State road in said county; declaring a portion of Kiazua Creek and its tributaries a public highway; to prevent throwing slabs into certain streams in said county; extending the charter of the Lafayette Railroad Company; changing the place of holding elections in Corydon township, M'Kean county, and in Jay township, Elk county; and relative to the pay of County Commissioners, in Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of an act entitled "An act supplementary to an act entitled 'An act relating to roads, highways and bridges in the counties of Warren, Venango and M'Kean, and for other purposes,'" passed the ninth day of April, Anno Domini, one thousand eight hundred and forty-four, approved the fifteenth day of March, Anno Domini, one thousand eight hundred and forty-eight, be and the same are hereby extended to the county of M'Kean.

Certain acts extended to M'Kean county.

SECTION 2. That the existing road laws now in force in the county of M'Kean, shall not be construed to authorize the road commissioners of any township in said county to levy a road tax or taxes, the aggregate amount of which tax or taxes combined, shall exceed ten mills on the dollar on the last adjusted assessment and valuation of persons and property made taxable for county purposes in such township, in any one year: *Provided*, That this shall not affect any suits pending or any proceedings already had.

Construction of act.

Provided.

SECTION 3. That the court of common pleas, of the county of M'Kean, may upon application to such court, by any person or persons setting forth that any township is indebted to him or them by judgment, direct notice of such application to be given to the commissioners of roads and highways of such township, or a majority of them, and after the hearing of the said applicant and the commissioners, if they shall appear at the time or times named, or to which the hearing shall be continued by the said court, of which time named the commissioners shall be notified, or a majority of them, and if the said commissioners shall not appear, then the hearing shall be ex parte, order such tax or taxes levied as said court may deem necessary, or order the regular levy increased for the payment of such judgment or judgments of such applicant or applicants, and the said court shall, at the time of ordering such tax, fix the number of mills on the dollar, to be levied upon the last adjusted valuation of persons and property made taxable for county purposes; but in no case shall said court make an order so that the road taxes in such township shall exceed in any one year, the sum of twenty mills on the dollar of the last adjusted assessment and valuation aforesaid; and whenever the said court shall order a tax levied, or an increase of tax, according to the provisions of this act, the commissioners of such township shall levy such tax or increase accordingly, and in addition to the authority of the

Duties of courts.



said commissioners to collect any portion of the road tax in such township or townships in money, they shall also have authority, and are hereby required to collect such ordered tax or increase, in money, on persons and personal and seated property, by warrant directed to the constable of the proper township, and the constable of said township shall collect such duplicate, and he and his bail shall be liable for the faithful discharge of his duty and the payment to the township treasurer of the money collected, and in case said tax cannot be collected by the constable, he shall make the return to the county commissioners, which collectors are required to make in the case of non-payment of seated taxes, and the same proceedings shall be had to collect the same as are had in case of other taxes returned to the county commissioners in the case of seated property, and in the case of unseated lands, to be collected in the same way that other taxes upon unseated lands are now collected, and such tax or increase shall first be applied to the payment of the judgment or judgments of such applicant or applicants, interest and costs, and the balance shall be appropriated by said commissioners as other road funds are appropriated; and the said court shall have power to enforce the performance by the road commissioners of the provisions of this act, and the appropriation of the money by attachment as for contempt.

Provisions of  
acts relating to  
estrays extended  
to McKean  
county.  
Previous

SECTION 4. That all the provisions of the act entitled "An Act concerning strays," passed the thirteenth day of April, Anno Domini, one thousand eight hundred and seven, be and the same are hereby extended to the county of McKean: *Provided always*, That the said act shall not be so construed as to compel any person to serve as town clerk more than one year in seven.

Duties of Register  
of Wills and  
Clerk of orphans'  
court.

SECTION 5. That the register of wills and the clerk of the orphans' court of the county of McKean, and their successors in office, are hereby authorized and required to record and enter all papers and proceedings, which by law ought to be recorded and entered in any books belonging to said officers, for the regular fees, in all cases, where there has been an omission of a previous register or clerk as aforesaid, or shall be of one hereafter going out of office as fully and with the like effect as if done by an officer while in office at the time when it became necessary to record and enter such papers and proceedings: *Provided*, That this section shall not affect any question which has been already adjudicated.

Previous

Commissioners

SECTION 6. That Jonathan Marsh and James Ball are hereby appointed commissioners, for the purpose of improving, and keeping in good order and repair, that part of the east and west State road between Lafayette Corners, in Lafayette township, McKean county, and the bridge crossing the Kinzua creek, in Warren county, subject to the liabilities of road commissioners, for the faithful discharge of their duties.

Taxes

SECTION 7. That one-third of the road tax levied on unseated lands in each of the townships of Lafayette and Corydon, McKean county, shall be paid to said commissioners for the purpose aforesaid; and in case the taxes aforesaid shall be deemed insufficient to keep said road in good order and repair, said commissioners may levy a tax on the assessed property in said townships, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies; which tax shall be levied and collected in the same manner as road commissioners, for said county, are authorized to do by law.

SECTION 8. That the county treasurer for the county of Warren, is hereby required to pay to said commissioners yearly, from the moneys arising from the unseated land tax for road purposes, the sum of twenty-five dollars for each of the townships of Kinzua and Corydon, and the receipt of said commissioners shall be a sufficient voucher to said treasurer in the settlement of his account.

Treasurer of Warren county to pay certain monies

SECTION 9. That said commissioners shall annually settle their account with the county auditors of M'Kean county, and shall be allowed a reasonable compensation, not to exceed one dollar per day, for the time which they shall be engaged in working on said road.

Annual settlement.

SECTION 10. That before the commissioners appointed by the sixth section of this act, shall enter upon the duties of their office, they shall give a bond for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office; which said bond shall be approved by the court of quarter sessions.

Bond to be given

SECTION 11. That the first, second, third, fourth and sixth sections of an act, entitled "An act to appoint commissioners, for the purpose of keeping in good order and repair that part of the east and west State road west of Fayette Corners, in the county of M'Kean, and for other purposes," passed the twenty-fourth day of February, one thousand eight hundred and forty-seven, be and the same are hereby repealed.

Repeal.

SECTION 12. That from and after the passage of this act Kinzua creek, from the mouth of the south fork of the same, to the old Kittanning road, and the South fork of said Kinzua creek, from its mouth to the second fork of said South fork, and the Chapel fork to the fork of said creek, are hereby declared public highways for the passing of rafts, boats and other vessels; and it shall and may be lawful for the inhabitants and others, desiring the navigation of the parts of said streams as above described, to remove all natural obstructions in the same: *Provided*, That any person or persons owning or possessing lands on said streams, shall have the liberty to erect any dam or dams across the same, agreeably, and subject to all the restrictions and provisions of an act of the General Assembly of this Commonwealth, passed the twenty-third day of March, one thousand eight hundred and three, entitled "An act to authorize any person or persons owning lands adjoining navigable streams of water declared public highways, to erect dams upon such streams for mills and other water works."

Kinzua creek declared a public highway.

Proviso.

SECTION 13. That from and after the passage of this act it shall not be lawful for any owner or owners of any saw mill, or saw mills, or any other person or persons, to throw or cast, or cause to be thrown or cast, slabs or other refused material, into the Driftwood creek, Portage creek, or West creek, in the counties of M'Kean or Potter, or into the Kinzua creek, or any of its tributaries, in the counties of M'Kean or Warren; and any person violating the provisions of this section, shall be deemed guilty of a misdemeanor, and be liable to indictment in the court of Quarter Sessions in which such offence shall be committed; and shall be further liable to a fine of not less than five, nor more than fifty dollars, to be recovered as debts of like amount are now by law recoverable.

Slabs or other refuse material not to be thrown into certain streams.

SECTION 14. That the time fixed for the commencement of the Lafayette railroad company, in the county of McKean, gran-

Extension



ted by the act of the third of April, one thousand eight hundred and fifty-one, be, and the same is hereby extended for the further period of one year, from the third day of April of the present year.

Corydon township, M'Kean county.

SECTION 15. That the general and township elections, in the township of Corydon, county of M'Kean, shall hereafter be held at the school house in said township, near the residence of John Parmeter.

Jay township, Elk county.

SECTION 16. That the general and township elections of the township of Jay, in the county of Elk, shall hereafter be held at the house of Alfred Pearsall, in said township.

Pay of commissioners of Jefferson county

SECTION 17. That the provisions of the first section of an act of Assembly, approved the ninth day of May, one thousand eight hundred and fifty, entitled "An act relative to the pay of the county commissioners of Westmoreland county, and to incorporate the Philadelphia association and reading room," be, and the same is hereby extended to the commissioners of Jefferson county.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

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No. 733.

## AN ACT

To incorporate the Pine Island and Starucca Bridge and Plank Road company, in Wayne county; relative to Floating of Logs in the Wallenpaupack river or creek, in Wayne and Pike counties; and relative to the Pittsburgh and Steubenville Railroad company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Mumford, Joel Lamb, John Writer, John Jenkins, Benjamin Sampson, Hassadiah Sampson, E. P. Strong, John P. Shaw, Uriah T. Smith, Lewis Smith, William Curtis, Cornelius S. Hacket, David Horton, George Davis, Royal Wheeler, Henry D. Tarbox, John Transue, Correl Cannon, James M. Moore and Haney D. Williams, of Wayne and Susquehanna counties, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Pine Island and Starucca bridge and plank road company," with power to construct a bridge across the West branch of the river Delaware, at or near to Pine Island, and a plank road from thence to the village of Starucca, and the privilege to extend

Style.



said road to the turnpike roads which pass through the townships of Thompson and Jackson, in Susquehanna county, subject to all the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, excepting that portion of the thirteenth section of the said act, relating to tolls which discriminates in favor of wheels of greater width than four inches, and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by said thirteenth section, without reference to the width of the wheels in any case, also subject to the provisions and restrictions of a supplement to the act regulating turnpike and plank road companies, approved the seventh day of April, Anno Domini, one thousand eight hundred and forty nine: *Provided*, That when the company hereby incorporated shall have erected a good substantial bridge over said river, or shall have finished three miles or more of said road, the president thereof may give notice to the Governor, who shall thereupon do and perform the duties prescribed in the twelfth section of the said act of the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine.

Subject to the provisions of certain act.

Proviso.

SECTION 2. That the stock of said company shall consist of eight hundred shares of twenty-five dollars each: *Provided*, That the said company may at any time by a vote of the stockholders, at a meeting called for that purpose, increase their capital so much as in their judgment may be necessary to carry out the true intent and meaning of this act.

Stock.

Proviso.

SECTION 3. That any person who shall wilfully injure, break or throw down any gate which shall have been erected on said bridge or road, pursuant to the provisions of this act, or dig up, or wilfully injure or spoil any part of such bridge or road, or any thing thereunto belonging, or shall drag along or across such road, any log, timber, wood or stone, so that the same shall injure the even surface of said road, he shall for every such offence forfeit to the corporation hereby erected, the sum of five dollars, in addition to the real damage from this wrongful act, which penalty may be recovered by the said corporation, in an action of debt in any court having cognizance thereof, and a separate suit may be in like manner prosecuted and maintained by such incorporation, for such damages done to the said road.

Penalty for injury to works.

SECTION 4. That if any person or persons shall wilfully or maliciously remove or destroy any of the companies constructions or place designedly and with evil intent, any obstruction on said bridge or the line of said road, so as to injure or jeopard the lives of persons traveling on the same, such person or persons so offending, shall be deemed guilty of a misdemeanor, and shall be adjudged on conviction, to be imprisoned for a term of not more than two years: *Provided*, That nothing herein contained shall prevent the said company from pursuing the remedy heretofore specified, for damages done their road by the wrongful act.

Further penalty for injuries.

Proviso.

SECTION 5. That the supervisors of the different townships through which said plank road may pass or a majority of them respectively, are hereby empowered to relinquish to the said company, such portions of public roads, in their respective townships, as may be deemed necessary for the proper construction of said plank road.

Duties of supervisors.

Service of process.

SECTION 6. That in all suits or actions brought against said company, the service of process on any director, toll-gatherer or other officer of the company shall be good and valid in law, as if made on the president thereof.

Commencement and completion of road.

SECTION 7. That if this company shall commence the construction of either, this bridge or plank road within four years, and complete the same within ten years from the passage of this act, they shall enjoy all the privileges herein granted, so far as relates to said finished bridge or portions of finished plank road; but if either the bridge or plank road remains unfinished at the expiration of the said term of ten years, this act shall be null and void, so far as relates to said unfinished bridge or portions of plank road, except so far as the same shall be necessary to wind up the affairs and pay the debts of the company.

Boom, &c., not to be erected in Wallenpaupack creek

SECTION 8. That from and after the first day of June, one thousand eight hundred and fifty-three, it shall not be lawful for any person or persons to erect any boom or booms across or throw into, run or float any loose saw log or logs, timber, tree or trees down the Wallenpaupack creek or river, from the mouth of Five-Mile creek, to the Wilsonville falls.

Penalties

SECTION 9. That any person or persons violating the provisions of the above section of this act, shall be subject to indictment, in the court of quarter sessions, of the counties of Wayne or Pike, in which such offence shall have been committed, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, nor less than fifty dollars, at the discretion of the courts aforesaid, which fine shall be collected as other fines in criminal causes, and paid over to the supervisors of the townships of Palmyra and Green, in Pike, and Paupack and Salem, in Wayne counties, in equal proportions, and by them or their successors in office shall be appropriated to and expended by them, to the removal of obstructions from said creek or river.

Certain subscription authorized to be made.

SECTION 10. That the Pittsburgh and Steubenville railroad company, be and they are hereby empowered to subscribe to the stock of any railroad intended to connect with the road of said company, or appropriate their moneys for the construction of any connecting road on proper securities, in the adjacent county or counties, of the State of Virginia, and to connect with and run their cars over any connecting road: *Provided*, Said subscription or appropriation shall not exceed in amount, the sum of one hundred and fifty thousand dollars.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 734.

## AN ACT

Authorizing and directing the Canal Commissioners to examine the condition and necessity of the dam at the mouth of the Raystown Branch, and to have the same removed or repaired, et cetera, to ascertain the damage done to the real estate of David Blair from said dam, and to estimate and sell or lease the right to use the surplus water from said dam; incorporating an Academy in the borough of Shireleysburg, in the county of Huntingdon, and relative to hunting of Deer with Dogs, in Logan township, Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Canal Commissioners are hereby authorized and directed to make, at as early a time in the spring or summer of the present year Anno Domini, one thousand eight hundred and fifty-three, as may be practicable and convenient for them, a personal examination and inspection of the dam at the mouth of the Raystown branch of the Juniata river, to ascertain and determine whether the said dam is or is not necessary to feed the Pennsylvania canal at this point, and whether or not the said dam cannot be dispensed with and removed without prejudice or detriment to the said canal; and if the Canal Commissioners shall be of opinion that the said dam is unnecessary, expensive and useless, and at the same time prejudicial to the health of the neighborhood and injurious to the navigation of the river and the land along and adjacent to the same, then and in that event they, the said commissioners, shall direct the said dam to be taken down forthwith.

Canal Commissioners to make a personal examination of dam at the mouth of the Raystown branch

SECTION 2. That if upon the investigation aforesaid, the said Canal Commissioners should be of opinion that the said dam is necessary to supply the canal and cannot be dispensed with, then and in that event the said Canal Commissioners shall cause the said dam to be immediately so repaired and secured by cribbing or otherwise, as to prevent the water, from the breast of said dam, undermining and encroaching upon the land of David Blair, adjacent and adjoining said dam; and the said commissioners are hereby authorized and required to examine and report to the next Legislature what amount of damage has been sustained by the said David Blair from the land undermined and carried away by the water from said dam, and from the land, the cultivation of which has been abandoned by reason of the water from said dam encroaching upon and injuring the same.

Duties of Canal Commissioners

SECTION 3. That if upon the investigation aforesaid, the Canal Commissioners shall determine to continue and repair the said dam as aforesaid, then and in that event it shall be the duty of the said commissioners further to examine and enquire if there is not, for a great portion of the year, a large quantity of surplus water escaping over said dam which is not used and is not needed to supply and feed the Pennsylvania canal and which might be profitably employed in propelling some kind of machinery; and if said commissioners shall be of opinion that there is such quantity of waste water not needed for the supply of the canal, they are hereby authorized to sell or lease, for a

Further duties



period of years, the right to use such surplus water from the dam aforesaid, by public vendue or outcry on the premises, to the highest and best bidder, of which sale or lease twenty days notice shall be given by said commissioners in one newspaper printed in the borough of Huntingdon: *Provided*, That such surplus water from said dam shall be so sold and so used by the purchaser thereof as not to interfere with or injure the necessary supply of water to the Pennsylvania canal from said dam, and so as not to injure or prejudice the riparian owners of the land on either side of said dam.

High school established at Shirleysburg.

SECTION 4. That an academy or high school of learning for the education of males in science, literature and the useful arts shall be established in or near the town of Shirleysburg, in the county of Huntingdon, by the name and style of the "Juniata Academy at Shirleysburg," to be endowed and supported by private subscription, benefaction or otherwise.

Trustees, board of

SECTION 5. That all buildings, lands, philosophical apparatus and other effects pertaining thereto, shall be vested in a board of fifteen trustees, and their successors in trust for the uses and purposes hereinbefore set forth, who shall be one body politic and corporate, with perpetual succession in deed and in law by the name, style and title of the "Juniata Academy at Shirleysburg," and shall be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and shall be capable in law and equity to take, hold and dispose of for the use of said academy lands, tenements, monies, goods and chattels of whatever kind by gift, grant, bargain, sale, will, devise or bequest from any person whomsoever, to erect such buildings as may be necessary, and generally to do all and singular things for the well-being of said academy or high school of learning, which shall be lawful for them to do.

Style.

Privileges.

Seal.

SECTION 6. That said corporation shall have one common seal, and power to alter and renew the same at pleasure.

Trustees.

SECTION 7. That Hugh J. Campbell, Samuel Lutz, John Ker, Dutton Madden, Samuel McVetty, Charles Bower, William McVity, James Stark, William B. Leas, John Brewster, George Swine, Samuel L. Spangle, William McGarvey, John Morrison, and George Eby, be and are hereby named trustees of said academy, with power to increase their number so as not to exceed twenty-one, and to fill any vacancy that may occur, either from death, resignation or inability; said vacancy or vacancies to be filled in such a manner as to represent as near as may be all the denominations that have at the time contributed to the said academy; said trustees shall have power to appoint their president, secretary and treasurer, who shall be chosen from the trustees, and shall have full power to enact such by-laws as may be necessary, and not inconsistent with the constitution and laws of the United States, or of this Commonwealth; seven of said trustees shall constitute a quorum to transact business, who may in the absence of the president, appoint a president pro tempore; said trustees shall have full power to receive and hold in trust for the use of said academy all subscriptions, gifts, endowments or bequests; said trustees shall lease or rent out the real and personal effects of said corporation to a teacher or teachers, for such a length of time and for such a sum as they may deem best, and said rent or compensation shall be expended by said trustees in adding to, improving said academy, buildings, philosophical apparatus, library and lands, and generally in securing

Vacancies.

the object in view, viz: the establishment and perpetuation of a high school of learning for males.

SECTION 8. That said institution shall be managed and conducted on the broadest principles of christian union and charity. Management of affairs. No religious sect or party shall at any time be permitted to exercise any exclusive influence, dictation, or bias over it; but said institution, in all its management and instructions, shall be kept free from any sectarian peculiarity, teachings or opinions, nor shall any religious denomination have at any time more than five trustees to represent it in the management of said institution. Any wilful departure from the meaning, spirit, or intention of this section, by the person or persons having charge of said academy, when the same may be persisted in, shall be sufficient cause of complaint, when, upon ten or more persons, contributors to the funds of said institution, setting forth the facts, by petition, to the board of trustees, the president of said board shall cause notice to be given to all the trustees, to meet at a stated time, to inquire into the same, at which meeting, a quorum being present and the complainants notified to attend, they shall proceed to investigate the complaint and take such action as will fully secure the carrying out of this section, in its strictest sense.

SECTION 9. That said trustees shall meet semi-annually, on such days as they may fix and as much oftener as they may from time to time appoint, a call of the president, upon the application of four trustees, being sufficient to appoint a meeting; and at all meetings of said board, the trustees may vote by proxy or otherwise. Meeting of trustees.

SECTION 10. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to said corporation: *Provided*, That the intent of the parties shall sufficiently appear upon the face of the will or writing whereby any estate or interest was intended to pass to said corporation. Misnomer. Proviso.

SECTION 11. That no alteration, amendment or supplement shall be made to this charter, unless petitioned for by two-thirds of the trustees. All by-laws, at any time made, inconsistent with this act of incorporation, shall be null and void. By-laws, &c.

SECTION 12. That the provisions of the first section of an act of Assembly, approved the twenty-fourth day of March, one thousand eight hundred and forty-eight, relative to the hunting of deer with dogs, in the counties of Huntingdon, Carbon, Luzerne, Dauphin, Mifflin and Elk, is hereby extended to Logan township, Blair county. Deer, hunting of with dogs.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 735.

## A N A C T

To incorporate the State Line Railroad Company; authorizing the Susquehanna Bridge Company at Tunkhannock to borrow money; to the Pennsylvania Hospital.

- Commissioners** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Goodrich, Job Geer, Lauren Copley, Evan Bectal, Joseph P. Morris, Seth Marvin, Lyman Gibson, Levi J. Cooley, Rigs Watarus and Silas Haight be, and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The State Line Railroad company," with all the powers and subject to all the provisions and restrictions prescribed by an act entitled
- Style.** "An act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, except so far as they are hereby altered and supplied.
- Subject to the provisions of certain act.** SECTION 2. That the capital stock of said company shall consist of two hundred thousand dollars: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much, as in their opinion may be necessary to complete the said road, and to carry out the true intent and meaning of this act.
- Capital stock. Proviso.** SECTION 3. That said company shall have the right to build or construct a railroad with a single or double track, commencing on the line of the Tioga railroad, at such point between Lawrenceville and Mansfield, in the county of Tioga, State of Pennsylvania, as the corporators or a majority of them shall determine upon, and running thence on the route which they shall deem most feasible and proper, to such point on the State line, at or near the termination of the Elmira and Southport plank road, as they shall select.
- Rights and powers.** SECTION 4. That whenever the parties cannot agree upon the damages claimed either for land and materials taken by said company in the prosecution of their work, the mode of proceeding in regard thereto, shall be the same in all respects as is provided for in second section of the act passed the sixth day of April, one thousand eight hundred and fifty, regulating the course of proceedings in the case of the Legget's Gap railroad company
- Damages.** SECTION 5. That if the said company shall not commence the construction of said road within three years, and complete and open the same for use with at least one track, within ten years, then this charter shall be null and void.
- Commencement and completion of road.** SECTION 6. That the president, managers and company for erecting a bridge over the river Susquehanna at Tunkhannock, be, and they are hereby authorized to borrow money to an amount not exceeding ten thousand dollars, upon bonds to be issued by them, secured by mortgage upon their corporate property, or otherwise: *Provided,* That no bond shall be issued for a less amount than one hundred dollars.
- Authority to borrow money.**



SECTION 7. That the estates and property real and personal, belonging to the contributors to the Pennsylvania Hospital, shall be and remain free from the payment of taxes of any kind whatsoever, as long as the income from said estates and property is used for the relief of the sick and insane poor, any law to the contrary notwithstanding.

Estate of Pennsylvania hospital  
exempted from  
taxation.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

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No. 736.

## A N A C T

To annul the marriage contract between James D. Griffith and Mary C., his wife.

WHEREAS, The marriage of James D. Griffith and Mary C., his wife, of the county of Lancaster, was fraudulently obtained by the said James D. Griffith, the said Mary C., also, being a minor, and without consent of her parent or guardian; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between James D. Griffith and Mary C., his wife, of the county of Lancaster, be and the same is hereby annulled and made void, and the parties are hereby released and discharged from said contract, and from the duties and obligations arising therefrom as fully, effectually and absolutely as if they never had been joined in marriage.*

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 737.

## A N A C T

To incorporate Saint John's Evangelical Lutheran and German Reformed church,  
in Pricetown, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of Saint John's Evangelical Lutheran and German Reformed church, in Pricetown, Berks county, Pennsylvania, be and the same are hereby created and erected into one body politic and corporate, in deed and in law, by the name, style and title of "Saint John's Evangelical Lutheran and German Reformed church, in Pricetown, Berks county," and by the same name shall have perpetual succession, and to be able to sue and be sued, implead and be impleaded, and shall be able and capable to take and hold lands and tenements, goods and chattles, real and personal, and mixed, which are now or may hereafter become the property of said congregations or body corporate, by gift, grant, devise, bequest or otherwise, according to the true intent of donors, grantors and devisors, and the yearly value or income of the real, personal or mixed estate of said congregations, shall not at any one time exceed the sum of three thousand dollars, exclusive of annual stated contributions.

SECTION 2. That the secular business of said church and congregation shall be conducted by four trustees, two of whom are always to be of each denomination, and shall consist of the following named persons, to wit: Charles Levan and Abraham D. Hill, members of the German Reformed church, and Benjamin Bush and George Haas, members of the Evangelical Lutheran church, who shall continue in office until others are elected, which shall be on Easter Monday, one thousand eight hundred and fifty-three, and on that day annually thereafter, the properly qualified members of said congregations shall, after two weeks public notice, elect by ballot, persons to serve as trustees, the trustees shall be so arranged that one of each denomination shall retire from office every year; and at all meetings of the trustees, three of their number shall constitute a quorum, should there be a failure to hold an election on Easter Monday of any year, the trustees for the time being, shall continue to serve until an election takes place.

SECTION 3. That the said trustees shall choose by ballot, from among their number a president and secretary, and shall also choose a treasurer from among the members of said church, who shall give security for the faithful performance of the trust reposed in him, and account to them for all sums of money received by him; and in case of the removal of the president or of any of the trustees or other officers of the board of trustees, by death, resignation or neglecting to attend the meeting of said board twice in succession, without good cause or otherwise, the vacancy or vacancies shall be supplied by said board until the next annual election.

Corporation.

Style

Privileges.

Secular business,  
how conducted.Trustees to  
choose president  
and secretary.

SECTION 4. That the trustees and their successors shall have full power to make and use one common seal, and the same to alter and renew at pleasure, to enact and enforce, or repeal such by-laws and ordinances, with consent of a majority of the congregations as may be necessary and proper, for the regulation and transaction of the business of the corporation to change the time for holding the annual meeting for electing trustees from time to time, as they may find convenient, or if the congregation neglect on the day of the annual meeting, appoint any subsequent time on which election shall be held: *Provided*, That notice thereof, be given from the pulpit, or in such other manner as a majority of the trustees may direct, at least two weeks before said election: *And provided also*, That said by-laws and ordinances shall not be in conflict with the articles contained in this charter, nor in violation of the government and discipline of the Lutheran and German Reformed church, nor in violation of the constitution or laws of this State or the United States.

Seal.

Proviso.

Proviso.

SECTION 5. That no person shall be entitled to vote at any election for trustees, or at any election relative to the secular interest of the church, except the male members of twenty-one years of age of said congregation, and those who regularly contribute their portion to the maintenance of divine worship, and in other respects demean themselves as church members.

Who may vote.

SECTION 6. That it shall be the duty of the trustees of said corporation to keep, or cause to be kept, a book, in which the act of incorporation, by-laws and ordinances hereafter passed and approved shall be recorded, and also to keep a record of the proceedings of all meetings of said trustees, and of all business meetings and transactions of said corporation to which all members of the congregation shall have free access.

Trustees to keep open books.

SECTION 7. That the trustees shall annually, on the day of electing their successors, make, or cause to be made, a true, just and full statement of all accounts, receipts and expenditures of said corporation and congregation, and cause the same to be entered at large, in record book mentioned in section sixth.

Statement of accounts.

SECTION 8. That all elections shall be held in the church, of which two weeks' notice shall be given in all cases.

Elections where to be held.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 738.

## AN ACT

To incorporate the Clinton County Coal Company.

Corporation.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That George Little and James H. Johnson, and their associates, executors, administrators, heirs and assigns, be and they are hereby constituted a body corporate and politic, by the name, style and title of the "Clinton County coal company," for the purpose of constructing a railroad or railroads from their mines and lands in Clinton county, to the West Branch of the Susquehanna river, mining coal, and for transacting the usual business of companies engaged in the mining, transporting to market and selling of coal, and the other products of coal mines; and the said corporation, by the same name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have and use a common seal, and the same to alter and renew at pleasure, to make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of the United States, and of this Commonwealth, and generally to do and execute for the well being of said company, whatever shall lawfully pertain to such bodies politic: <i>Provided,</i> That nothing herein contained shall be considered, as in any way giving to said company any banking privileges, but they shall be exclusively confined to the operations pertaining to the business aforesaid, according to the true intent and meaning of this act.</p>
Style.	
Privileges.	
Proviso.	
Company may hold land.	
Proviso.	<p>SECTION 2. That the said company shall have the right to hold either by purchase or lease, not exceeding two thousand acres of land at any one time, the whole to be within the county of Clinton, in the Commonwealth of Pennsylvania, and the same, or any part thereof, to sell, lease or otherwise dispose of, as the interest of the company may require: <i>Provided,</i> That the said company may hold elsewhere, as above, such lot or lots of land not exceeding ten acres, as may be found necessary as places of deposit, in the transportation and sale of the products of their mines.</p>
Capital stock.	
Proviso.	<p>SECTION 3. That the capital stock of said company shall be and consist of five hundred thousand dollars, and shall be divided into five thousand shares of one hundred dollars each, of which the land and mines of the said George Little and James H. Johnson shall constitute a part, at such a price as may be agreed upon between them the said George Little and James H. Johnson, on the one part, and those who may associate with them, and constitute the aforesaid corporation, by subscription in stock, payable in money, on the other part; and the president and directors of the said company shall have power to increase their capital stock from time to time, to such an amount as may be found convenient and necessary: <i>Provided,</i> That the amount of capital stock shall not, at any time, exceed fifteen thousand shares, or one and a half million of dollars; which capital stock shall only be employed in the holding and purchasing the</p>

lands aforesaid, with the improvements thereon, and in constructing such other improvements, railroads, cars, engines and machinery, boats and buildings, as may be necessary or useful for the mining, transportation or sale of coal, and in the payment of such salaries, wages and other expenditures, as shall be requisite for the purposes of the company aforesaid; and said stock shall be assignable and transferable, according to such rules and by-laws as the board of directors shall establish, and the subscription to the capital stock of said company shall be made at such places, and in such manner, as shall be designated by the said George Little and James H. Johnson: *Provided further*, That the said company shall pay to the State Treasurer, for the use of the Commonwealth, in four equal annual instalments, one per centum on the capital stock hereby authorized, the first instalment whereof shall be paid before the first day of January, one thousand eight hundred and fifty-four, and if the capital should be hereafter increased, the company shall pay as aforesaid, one per centum on such increase: *But provided further*, That whenever, in any year, the tolls received by the Commonwealth upon coal transported by said company, upon the improvements of this Commonwealth, shall exceed the sum of three thousand dollars, the said company shall be allowed an abatement of tolls upon the coal then next transported by them, to an amount equal to such excess, and so on from year to year, until the said company shall have been allowed the full sum of one per centum upon their said capital stock required to be paid by this act for their corporate franchise, but no greater amount than the said one per centum shall be allowed the said company, and the allowance shall be made in such manner, not inconsistent with this act, as may be ordered and directed by the Canal Commissioners for the time being.

SECTION 4. That the affairs of said company shall be managed by not less than five nor more than thirteen directors, to be determined by the by-laws of said company, to be chosen annually from the stockholders of said company, the first election for which shall be held at such time as the said George Little and James H. Johnston, shall appoint at Lock Haven, in Clinton county, or Philadelphia, in Pennsylvania, or New York city, and until such election the said George Little and James H. Johnson shall have full power and authority to exercise all the corporate powers of said company, and the subsequent elections of said company shall be held annually at such convenient time and at either the above named places that the directors shall determine, of which thirty days notice shall be given by the president in some newspaper printed in the county of Clinton, and ten days in some daily newspaper printed in Philadelphia or New York city: *Provided*, That in failure to hold such election the former directors may continue in office for a period not exceeding six months or until such election shall be held.

SECTION 5. That the election for directors shall be held by ballot, and each stockholder shall be entitled to vote according to the number of shares held by said stockholder, in the proportion following: that is to say, for each share and not exceeding four shares, one vote; for every two shares above four and not exceeding ten, one vote; for every four shares above ten and not exceeding thirty, one vote; for every ten shares above thirty and not exceeding one hundred, one vote; for every twenty shares above one hundred, one vote; no share shall confer a

Affairs, how managed.

Provide.

Elections how held.



right of voting which shall not have been transferred at least three calendar months prior to the day of election, nor unless it be bona fide, held or owned by the person in whose name it appears, in his own right or that of his wife, or for his or her sole use and benefit, or as an executor, administrator, trustee or guardian, or in the right or for the use and benefit of some co-partnership society or corporation of which he or she may be a member, and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An act to regulate proxies."

Officers.

SECTION 6. That the directors shall as soon as convenient after their election, choose one of their number to act as president, to serve one year, they shall also have power to appoint as occasion may require all other officers and agents of the company and to supply vacancies in the board arising from death or resignation or otherwise, until the next annual election; at all meetings of the board a majority of the directors shall constitute a quorum for the transaction of business.

Instalments.

SECTION 7. That the directors may from time to time call in such instalments on the stock of said company, as they may judge best, not exceeding twenty-five per centum at any one time, and place appointed on giving thirty days notice thereof in one newspaper published in Clinton county, and ten days in some daily paper published in Philadelphia or New York city, a copy of which publication in the newspaper in Clinton county, to be sent to the last known place of residence of each stockholder, and if any instalment on the stock so called in shall remain unpaid for the space of thirty days after the time so appointed, every such stockholder or his or her assigns shall in addition to the instalment so called for, pay at the rate of two per centum per month, for the delay of such payment, and if the same and additional penalty shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part, and on account of such shares the same shall become forfeited to said company, and may be sold to any person or persons willing to purchase them, for such price as can be obtained for the same, or in default of payment of any stockholder of any such instalment as aforesaid, the president and directors may at their election cause suit to be brought before an alderman or justice of the peace, or any court having competent jurisdiction for the recovery of same, together with the penalty aforesaid: *Provided*, That no stockholder whether an original subscriber or assignee shall be entitled to vote at any election, at any general or special meeting of the company on whose share or shares any instalment or arrearages may have been due and payable more than thirty days previously to the said election or meeting.

Proviso.

Dividends.

SECTION 8. That dividends of so much of the profits of the company as shall appear to the directors advisable, shall be declared semi-annually and paid to the stockholders or their legal representatives on demand, at any time after the expiration of ten days, after the same has been declared payable at either of the places where the company is authorized to hold their annual meetings; but said dividends shall in no case exceed the amount of net profits actually acquired by the company, so that the capital stock shall never thereby be impaired.



SECTION 9. That it shall not be lawful for the said president, directors and company, or any of their agents, nor any person whatever, employed by or under them, for the purposes contemplated in this act, to enter upon any land which they shall deem necessary for the construction and completion of a railroad or railroads, or any part thereof, either by the making of any excavation or embankments, or for the mere purpose of searching for stone, earth, gravel, for the construction or completion of said road or roads, until the rate of compensation for injury sustained or to be sustained and paid by reason of the construction thereof, shall have been previously ascertained and paid, or the amount thereof secured in such manner as shall prove satisfactory to such owner or owners of such land, which said compensation, if the parties cannot agree thereon, shall be ascertained by five suitable and disinterested persons, or any three of them, to be chosen by them to estimate such damages, who shall be under oath or affirmation fairly and impartially to estimate the same, and shall reside in the county where the land lies, and the expenses incurred by said appraisers shall be defrayed by the said company; but if the parties cannot agree upon such persons, or if the persons so chosen shall not decide upon the matter, or if the owner shall refuse or neglect to join in such appointment within twenty days after requisition has been made upon him for that purpose, or if such owner be feme covert, under age, non compos mentis, out of the State or unknown, then it shall be lawful for the court of common pleas of the county in which the land lies, on the applications of either party and that the costs and charges of said company, to appoint five disinterested persons of said county to view, examine and estimate the injury or damages, if any in their opinion may be sustained by reason of said railroad or railroads, and report the same under their oaths or affirmations, or under the oaths and affirmations of any three of them, to the said court, within ten days thereafter; which report, if confirmed by said court, judgment shall be entered thereon, and the viewers and appraisers shall be entitled to one dollar per day for their services, to be paid by said company; and it shall be the duty of said viewers and appraisers to take into consideration, in estimating such injury or damages, the advantages to be derived by said owner or owners of said lands, by means of said railroad or railroads: *Provided*, That either party may appeal to the court within thirty days after such report may have been filed in the prothonotary's office of the proper county, in the same manner as appeals are allowed in other cases.

Damages.

Proviso.

SECTION 10. That the said company is hereby authorized to accept and receive a transfer of the rights, franchises and privileges created or conferred in and by a certain act entitled "An Act to authorize the construction of a railroad from certain lands in Clinton county to the West Branch of the Susquehann," approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-one.

Acceptance of certain rights.

SECTION 11. That the said Clinton county coal company shall have authority to borrow any sum or sums of money, not exceeding two hundred and fifty thousand dollars, on bonds, secured by the mortgage of the whole or any part of the property or road belonging to the company, and the corporate privilege thereto belonging, upon such interest as shall be agreed upon; and the said company are authorized to sell and dispose of the

Authority to borrow money.

Proviso. said bonds, within or beyond this Commonwealth, at such rates, above or below par, as may be agreed upon between the parties, and such sale shall be as valid as if sold at par: *Provided*, That no bond shall be issued by said company for a less sum than one hundred dollars.

Liability. SECTION 12. That the stockholders in said company, whether holding the certificates of stock in their own name, being the parties beneficially interested therein, shall be jointly and severally liable, in their individual capacities and estates, for all debts, contracts and liabilities of said company, for materials and labor in the mining of coal as aforesaid, during the time such stockholders respectively own their said stock: *Provided*, That said stockholders shall not be liable to an action therefor, until an execution against the corporation shall have been returned, unsatisfied in whole or in part; and then the amount due on such execution shall be the amount recoverable, with costs, against such stockholders. No action shall be maintained against the said stockholders, under the provisions of this section, unless the same shall be commenced within six months after such execution shall have been returned as aforesaid.

Reservation. SECTION 13. That this act shall remain in force for the period of twenty-five years, and the Legislature hereby reserves the right to repeal or modify the same, provided no injustice be done the corporators.

W. P. SCHELL,  
*Speaker of the House of Representatives.*  
THO. CARSON,  
*Speaker of the Senate.*

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We do certify, that the bill entitled "An Act to incorporate the Clinton County Coal company," was presented to the Governor, February twenty-second, eighteen hundred and fifty-three, and was not returned within ten days (Sundays excepted) after it was presented to him; wherefore it has, agreeably to the constitution of this Commonwealth, become a law, in like manner as if he had signed the same.

WM. JACK,  
*Clerk of the House of Representatives.*

JOHN M. SULLIVAN,  
*Clerk of the Senate.*

April 18, 1853.

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No. 739.

## AN ACT

To incorporate the Benedictine Society in Westmoreland County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* Boniface Wimmer, Celestine Englbracht, Peter Henry Lemki,

Corporators.

Utho Huber, citizens of the State of Pennsylvania, and their associates, members of the society called the Benedictine Order, being a society of religious men living in community and devoted to charitable works and the education of youth, be and they hereby are constituted a body politic and corporate, by the name, style and title of "The Benedictine Society," to have *Style.* perpetual succession, to use a common seal and alter and renew the same at pleasure, to take, hold and enjoy lands, tenements and hereditaments, and to make such by-laws, for their government and for the admission of members into the corporation, as they shall deem necessary and proper: *Provided,* That such by-laws shall not be repugnant to nor inconsistent with the constitution and laws of the United States or of this State: *And provided also,* That the clear yearly income of the real estate to be held by said corporation, exclusive of the houses occupied by the society and grounds thereto attached, shall not exceed the sum of three thousand dollars: *And provided,* That no person shall be or remain a corporator, except regular members of said religious society living in community and governed by the by-laws thereof. *Proviso.*

SECTION 2. That the essential objects of said corporation shall be the relief and support of sick, destitute and dependent persons, the maintenance of orphans, the care and education of youth, and the establishment of churches and conducting of service therein. *Essential objects.*

SECTION 3. That no misnomer of the said corporation and their successors, shall defeat or annul any gift, grant, devise or bequest, to or for the said corporation: *Provided,* That the intent of the party or parties shall sufficiently appear on the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or for the said corporation. *Misnomer. Proviso.*

SECTION 4. That any person or persons now holding or hereafter to hold any goods, chattels or property, real or personal estate, or interest whatever, in trust or for the use of the said society or any of the members, are hereby authorized to convey, transfer, grant and make over the same to the corporation, hereby created, freed and discharged from all such trusts: *Provided,* That the said corporation shall appropriate the same to the same uses as the donors or grantors, by whom the said property, real or personal, was originally given or granted, shall have given or granted the same: *Provided further,* That no private rights or vested interests shall be affected or in any way prejudiced by such conveyance to the corporation. *Trust estates. Proviso.*

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.



No. 740.

## AN ACT

To incorporate the Allentown Railroad company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John F. A. Sanford, William S. Wetmore, Simon Cameron, Francis W. Hughes, John T. Johnston, Thomas Chambers, Jacob Dillinger, Christian Pretz, William Fry, J. D. Stiles, Jesse Samuels, James Gangmire, Hiram Shortz, or a majority of them, are hereby appointed commissioners to do and perform the several acts mentioned and required in the act passed the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, entitled "An act regulating railroad companies," except so far as the rights and privileges of said act are supplied by the provisions of this act.

Commissioners.

Subject to provisions of certain act.

Capital stock.

SECTION 2. That the capital stock of said company shall be one million of dollars, in shares of fifty dollars each, and which said capital stock may be increased, if the exigencies of the company shall require it by the said company, to any sum not exceeding two millions of dollars, and any incorporated city or borough shall have authority to subscribe thereto as fully as any individual, and such subscription and stock subscribed by any such incorporated body shall be represented at elections and other acts of said company by any president, mayor, chief officer thereof, or any agent duly authorized thereby.

Letters patent

SECTION 3. That as soon as the commissioners aforesaid shall have certified, under their hands and seals, to the Governor the names of the subscribers, and the number of shares subscribed, and that ten per centum in the capital stock, as provided in said act, shall have been subscribed, and that five dollars has been paid on each share to the said commissioners, then it shall be lawful for the Governor of this Commonwealth, by letters patent, under his hand and the seal of the Commonwealth, to create the subscribers, and such others as may thereafter subscribe to the capital stock of said company, and their assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the "Allentown railroad company," and the said company shall enjoy all the rights, powers, and privileges and franchises conferred by said act.

Authorities and duties.

SECTION 4. That the said company shall have power to construct a railroad, with one or more tracks, commencing at a point on the railroad of the Lehigh Valley railroad company, at the borough of Allentown, and extending the same to any point on the railroad of the Philadelphia and Reading railroad company, between the city of Reading and Port Clinton, in Schuylkill county, and in the event that Kutztown is not a point upon said road, then, and in that case the said company shall be required to make a branch road to the said town, whenever a railroad shall have been built and constructed from the city of Reading to said Kutztown.

SECTION 5. That if the said company shall not commence the said road within two years after the passage of this act, and finish the same within seven years thereafter, then this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the said company.

Commencement  
and completion of  
road.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER

No. 741.

## AN ACT

To incorporate the Susquehanna Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. B. Little, F. B. Stratton, Robert H. M'Kune, John B. Scoville, C. S. Bennett, A. J. Seymour, or a majority of them be and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, that is to say, they shall on or before the first day of August next, procure one or more books, and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the Susquehanna bridge company, the sum of twenty-five dollars for every share of stock in the said company set opposite our respective names, in such manner and proportions, and at such times as shall be determined upon by the president and managers thereof, in pursuance of an act of the General Assembly, entitled "An act to authorize the Governor to incorporate a company to erect a toll-bridge over the river Susquehanna, at or near the depot of the New York and Erie railroad, in the village of Susquehanna, in Susquehanna county," and shall thereafter proceed to receive subscriptions to the stock of the said company, at such times and places as they shall think proper: *Provided always,* That every person so subscribing in his own name, or in the name of any other person, shall previously pay to the attending commissioners one dollar for every share so subscribed, out of which shall be paid the expense of taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the said company, as soon as the same shall be organized agreeably to the provisions of this act.

Commissioners.

Form of subscrip-  
tion.

SECTION 2. That when ten or more persons shall have subscribed seventy-five shares of the said stock, the said commissioners

Letters patent.

Style.	or a majority of them, shall certify under their hands and seals to the Governor of the Commonwealth, the names of the subscribers and the number of shares subscribed, and thereupon the Governor shall issue letters patent under his hand and seal of State, to create and erect the said subscribers and also all those who may afterwards subscribe, into one body corporate and politic in deed and in law, by the name, style and title of "The Susquehanna bridge company," and by the said name, style and title, the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of taking, purchasing and holding in fee simple to them and their successors, or for any less estate, all such lands, tenements and estates, real and personal, as shall be necessary or convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure; of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do, and of having and using a common seal, and the same to alter at pleasure.
Privileges.	
Notice to be given	SECTION 3. That the first named five persons in the letters patent shall, as soon as conveniently may be after receiving the same, give notice in one or more newspapers of the county of Susquehanna, of a time and place, to be by them designated in said notice, not less than twenty days from the time of the first publication of said notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose, by a majority of votes of the said subscribers, by ballot, either in person or by proxy, duly authorized, one president, one secretary, six managers, one treasurer, and such other officers as they may think necessary to conduct the business, until the next annual election, and until other officers shall be chosen, and make such by-laws, rules and regulations, not inconsistent with the laws of this Commonwealth, as shall be necessary for the well-ordering of the affairs of said company: <i>Provided</i> , That each person shall be entitled to one vote for each share not exceeding ten, and to one vote for every two shares held by him above that number: <i>And provided also</i> , That no person shall be allowed over fifteen votes, whatever number of shares he may hold.
Proviso.	
Proviso.	
Meeting of stockholders.	SECTION 4. That the stockholders shall meet on the first Monday in December in each year, at such place as shall be fixed by the rules and orders of the said company, to be made as aforesaid, for the purpose of choosing such officers as aforesaid, for the ensuing year, and for doing such other business as may be necessary.
Certificate of stock.	SECTION 5. That the president and managers first to be chosen as aforesaid, and their successors in office, whenever it shall be necessary thereafter, shall procure printed certificates for all the shares of stock of the said company, and shall deliver such certificate, signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, to each subscriber for the share or shares, on his paying to the treasurer the amount of each share so held, which certificate shall be transferable, at his pleasure, in person or by attorney, in presence of



the treasurer or president; and the assignee holding such certificate, having first caused the assignment to be entered on the transfer book of the company, kept for that purpose, shall become a member of the corporation.

SECTION 6. That the president and managers shall meet at such times and places, and be convened in such manner as shall be agreed, for transacting their business; and at such meeting, five managers shall be a quorum, who, in the absence of the president, may choose a chairman, and in the absence of the secretary shall keep minutes of all their transactions, entered in a book; and a quorum being met, they shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers as they shall think necessary to carry on the erection of said bridge and to fix their salaries and other wages; to ascertain the times and proportions in which the stockholders shall pay the moneys due on their respective shares, in order to carry on the work; to draw orders on the treasurer for all moneys; to pay the salaries of persons by them employed, and for the materials provided and labor done, which shall be signed by the president and countersigned by the secretary; and to do and transact all other acts, matters and things, as by the by-laws and regulations of the said company shall be committed to them.

Meeting of president and managers.

SECTION 7. That if any stockholder, after thirty days' notice given in one or more newspapers in Susquehanna county, or written personal notice, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of forty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to such instalment so called for, pay at the rate of two per cent per month for every delay of such payments; and if the same and the additional penalties shall remain unpaid for such a space of time that the accumulated penalties and instalment called for shall become equal to the sum or sums before paid on account of said shares so held by said stockholder, the same shall be forfeited to the said company, and may be sold to any person for such price as can be obtained therefor.

Penalties for neglecting to pay instalments.

SECTION 8. That the said president and managers shall keep fair and just accounts of all monies received by them from said commissioners and from the stockholders of said company, and of all penalties for delay in the payment of stock and the amounts of profits on shares that may be forfeited as aforesaid; and also of all moneys by them expended in the prosecution of said work, and shall at least, once in every year, submit such accounts to a general meeting of the stockholders, until the said bridge is completed, and until all the costs and charges and expenses for effecting the same shall be fully paid and discharged, and the aggregate amount of such expenses shall be liquidated and ascertained, and if upon such liquidation, or whenever the stock of said company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete said bridge according to the true intent of this act, it shall and may be lawful for the president and managers, with the consent of the stockholders, to be convened at a general meeting for that purpose, to increase the number of shares to such an extent as shall be deemed sufficient to accomplish the work, and to demand and receive the money subscribed for such additional stock, in like manner and under the penalties as hereinbefore provided for the original

Accounts to be kept.

subscription; that the original subscription to the stock of said company shall not exceed in the first instance, the sum of five thousand dollars or two hundred shares, and in case of any excess the commissioners appointed under the first section of this act shall distribute such excess according and in proportion to the several amounts subscribed for.

Property to be  
vested in compa-  
ny.

SECTION 9. That when a complete bridge is erected over the river Susquehanna at or near the railroad depot aforesaid, in the said village and county of Susquehanna, the property of the said bridge shall be vested in the said company, their successors and assigns forever, and the said company, their successors and assigns may demand and receive tolls from all persons passing said bridge, not exceeding the following rates, to wit: For every wagon or carriage having four wheels and drawn by four horses, used for the purpose of trade or agriculture, fifty cents; for every such carriage drawn by two horses, twenty-five cents; for each four wheeled pleasure carriage drawn by four horses, one dollar; for every such carriage drawn by two horses, twenty-five cents; for every such carriage drawn by one horse, ten cents; for every two wheel carriage drawn by one horse, ten cents; for every sled or sleigh drawn by four horses, twenty-five cents; for every sled or sleigh drawn by two horses, twenty cents; for every sled or sleigh drawn by one horse, ten cents; for every horse with a rider, five cents; every vehicle drawn by oxen, at the same rate as the like one drawn by horses, rating two oxen for one horse; mules to be rated the same as horses; every horse driven or led, four cents; for every score of sheep or swine, twenty cents; for every head of horned or muley cattle, two cents; and for every footman, two cents: *Provided*, That any person attending funerals, going to or returning from divine service on Sunday, all persons going to or returning from elections or military trainings, or students or children attending schools or seminaries of learning in the neighborhood of said bridge, shall at all times be exempt from any toll.

Penalty for re-  
ceiving greater  
fees than are al-  
lowed.

SECTION 10. That if the said company, their successors and assigns, or whoever may possess or own the said bridge shall demand or receive any greater rates or prices for passing over said bridge than is hereinbefore prescribed and specified, or shall neglect to keep the said bridge in good repair, he or she or they shall forfeit and pay the sum of ten dollars, to be recovered in an action of debt before any justice of the peace within eight miles of the said bridge, as debts of like amount are by law recoverable, and one-half thereof to the use of the party suing therefor and the the other half for the use of the poor of the township where said action shall be instituted: *Provided*, That no such action shall be sustained unless commenced within twenty days after such offence has been committed.

Proviso

Accounts of mo-  
ney received to be  
kept.

SECTION 11. That the said president and managers shall keep a just and true account of all monies received by the several collectors of tolls for crossing said bridge, and shall make and declare a dividend of the profits and income thereof among the stockholders, deducting therefrom all incidental and contingent charges and such proportion of such income as may be necessary for a growing fund, to provide against the decay and for rebuilding and repairing said bridge, and shall on the first Mondays of December and July in every year, publish the dividend so made of the clear profits, as aforesaid, and the time and place, when and where the same will be paid to the stockholders: *Provided*,

Proviso.



That nothing in this act shall be so construed as to authorize said company to exercise banking privileges.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 742.

## AN ACT

To incorporate the Rock Cabin Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Corporators. B. Rush Petrikin and John D. Petrikin, jr., and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of "The Style. Rock Cabin coal company," for the purpose of mining coal, and for transacting the usual business of companies engaged in the mining, transporting to market, and selling of coal and other productions of the land they may own in the county of Clinton; and the said corporation by the said name, is hereby declared and made capable in law to sue and be sued, to plead Privileges. and be impleaded, to have a common seal, and the same to alter and renew at pleasure, to make rules and by-laws not inconsistent with the constitution and laws of this Commonwealth, and generally to do and execute for the well-being of said company whatever shall lawfully pertain to such companies.

SECTION 2. That nothing in the preceding section shall be Banking privileges prevented. construed as giving said company banking privileges.

SECTION 3. That each stockholder shall be individually liable Liability. for the debts and contracts of the said company, for all materials furnished and work and labor done in the mining of coal, during the time they hold ther stock.

SECTION 4. That the said company shall have the right to May hold land. hold by law or purchase two thousand acres of land in Clinton county, and the same, or any part thereof to sell and convey

SECTION 5. That the capital stock of said company shall not Capital stock exceed two hundred thousand dollars, or ten thousand shares of twentydollars each; which capital shall only be employed in the purchasing and holding the land aforesaid, with the improvements, buildings, and such railroad cars, boats, and machinery, as may be necessary or useful in the mining and transportation to market of coal or other products of the land, and the pay-



Proviso.

ment of such salaries and wages and other expenses, as may be incurred in that connection; such stock shall be assignable in the manner prescribed by the directors: *Provided*, That said company shall pay to the State Treasurer for the use of the Commonwealth, a tax of one per cent on the capital thereof, in four equal annual payments, the first whereof shall be paid within six months after letters patent shall have been issued by the Governor, and a like tax upon any increase of the capital thereof.

Letters patent.

SECTION 6. That whenever the said B. Rush Petrikin and John D. Petrikin, jr. shall procure the subscriptions of one thousand shares, with evidence that five thousand dollars is paid into the hands of some person they may select, for the benefit of the company, then the Governor shall by letters patent under his hand and the seal of the State, create and erect the said B. Rush Petrikin and John D. Petrikin, jr., and their associates, successors or assigns, into one body corporate, by the name, style and title of "The Rock Cabin coal company,"

Affairs how managed.

SECTION 7. That the affairs of the company shall be managed by five directors, (to be chosen from the stockholders) one of whom shall be selected as president, and any three of whom shall be a quorum to transact business. The directors and president shall be elected for one year, and shall continue until their successors are legally chosen.

First election, when to be held.

SECTION 8. The first election for officers of this company shall be held at Lock Haven, of which at least two weeks public notice shall be given by the corporators above named, in the newspapers of the said place; and all subsequent elections shall be held at such place as the directors shall designate, thirty days notice being given of the time and place, by publication in one or more newspapers at the place where the election is to be held.

Election to be by ballot.

SECTION 9. The election of directors shall be by ballot, and each share of stock shall be entitled to one vote, but no vote shall be allowed to any stock not held on the books of the company sixty days before election, by the person desiring to vote; and all voters by proxy shall be in accordance with the act of twenty-eighth March, eighteen hundred and twenty.

Instalments.

SECTION 10. The directors may from time to time call in such instalments on the stock subscribed, not exceeding twenty per cent, on giving thirty days notice in the papers of Clinton county; and if stock be subscribed in New York or Philadelphia, then the same notice in one daily paper in the said cities; and if any subscriber shall fail to pay the same within thirty days of the time designated, the directors may declare the subscription forfeited to the use of the company.

Profits.

SECTION 11. The profits of the said company may be divided semi-annually, but not to impair the capital stock.

Powers.

SECTION 12. The corporation hereby authorized shall have power to construct a railroad with one or more tracks, from any point on their land, so as to connect their mines with the West Branch canal, at such place as they may deem most convenient. The railroad to be constructed in accordance with "An act regulating rail road companies," approved the twentieth day of February, Anno Domini, one thousand eight hundred and forty-nine.

Reservation.

SECTION 13. The Legislature reserve the right to repeal, al-

ter, or annul the charter hereby granted, at any time the company shall misuse or abuse the privileges.

SECTION 14. If the company hereby authorized do not commence the construction of their railroad within three years, and finish the same in five years thereafter, this act shall be void, except for the purpose of settling the affairs of the company. Commencement and completion of road.

SECTION 15. That the corporate privileges hereby granted shall continue twenty years from the passage of this act, and no longer. Continuance of corporate privileges.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

THO. CARSON,  
*Speaker of the Senate.*

We do hereby certify, that the bill entitled "An act to incorporate the Rock Cabin coal company," was presented to the Governor on the fifteenth day of February, one thousand eight hundred and fifty-three, and was not returned within ten days (Sundays excepted,) after it had been presented to him, wherefore it had, agreeably to the constitution of this Commonwealth, become a law in like manner as if he had signed it.

WM. JACK,  
*Clerk of the House of Representatives.*

JOHN M. SULLIVAN,  
*Clerk of the Senate.*

Harrisburg, April 19, 1853.

No. 743.

## A N A C T

To authorize the Governor to incorporate the Slatington Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin S. Levan, Boaz Haresman, David Laury and Jonas Kern, of the county of Lehigh, Robert M'Dowill, Abraham Gish, Jacob Denninger and James M. Porter, of the county of Northampton, and Thomas Craig, of the county of Carbon, be and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, that is to say, they shall on or before the first day of August next, procure one or more books and therein enter as follows: We, whose names are hereunto subscribed do promise to pay to "The Slatington bridge company," the sum of twenty-five dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers, in pursuance of an Commissioners.

Form of subscription.

act of the General Assembly, entitled "An act to authorize the Governor to incorporate the Slatington bridge company," and shall thereupon proceed to receive subscriptions for the stock of the said company at such times and places as they shall think proper: *Provided always*, That every person so subscribing in his own name or in the name of any other person, shall previously pay to the attending commissioner one dollar for every share so subscribed, out of which shall be paid the expense of taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall have been organized agreeably to the provisions of this act.

Proviso.

Letters patent.

Style

Privileges

SECTION 2. That when ten or more persons shall have subscribed two hundred shares of the said stock, the said commissioners shall certify, under their hands and seals, to the Governor of the Commonwealth, the names of the subscribers, and the number of shares subscribed, and thereupon it shall and may be lawful for the Governor, by letters patent, under his hand and the seal of the State, to create and erect the said subscribers, and also, all those who may afterwards subscribe into one body corporate and politic, in deed and in law, by the name, style and title of the "Slatington bridge company," and by the said name the said subscribers shall have perpetual succession and all privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, and if such enlargements shall be found necessary to fulfil the intent of this act, and of taking, purchasing and holding to them and their successors in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary and convenient in the prosecution of their works, and the same to sell and dispose of at their pleasure, of suing and be sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Notice to be given

SECTION 3. That any ten of the persons named in the letters patent, shall, so soon as conveniently may be, after sealing the same, give notice in any two newspapers of the counties of Lehigh and Northampton, of a time and place to be by them appointed, not less than twenty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose, by a majority of votes of the said subscribers by ballot, either in person or by proxy, duly authorized, one president, six managers, one treasurer and such other officers as they may think necessary to conduct the business of said company for one year and until other officers shall be duly chosen, and may make such by-laws, rules and regulations, not inconsistent with the laws of this Commonwealth, as shall be necessary for the well-ordering of the affairs of said company: *Provided*, That each person shall be entitled to one vote for every share not exceeding ten, and two votes for every five shares above ten and not exceeding forty, but no stockholder shall be entitled to more than twenty-six votes.

Proviso

Meeting of stockholders.

SECTION 4. That the stockholders shall meet on the first Monday in January, in each succeeding year, at such place as shall be fixed by the rules and regulations of the said company, to be



made as aforesaid, for the purpose of choosing officers as aforesaid for the ensuing year.

SECTION 5. That the president and managers first chosen, shall procure printed certificates for all the shares of the stock of the said company, and shall deliver one such certificate, signed by the president or countersigned by the treasurer, and sealed with the seal of the corporation, to each subscriber for the share or shares held by him, on paying to the treasurer the amount of such share so held, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, and the assignee holding such certificate having first caused the assignment to be entered on the books of the company kept for that purpose, shall become a member of the corporation. Certificates of stock.

SECTION 6. That the president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business; and at such meeting five members shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions entered in a book, and a quorum being met, they shall have full power and authority to erect a bridge across the river Lehigh, at or near the mouth of Trout creek, to agree with and appoint such engineers, superintendents, artists and other officers, as they shall think necessary to carry on their work hereby authorized, and to fix their salaries and other wages, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, to draw orders on the treasurer for all moneys to pay the salaries of persons by them employed and for materials furnished and labor done, which orders shall be signed by the president and countersigned by the clerk, and to do and transact all such other matters and things as the by-laws, orders and regulations of the said company shall be committed to them: *Provided*, Meeting of president and managers. That before said company shall enter upon any land or lands for the construction of said bridge, a just and fair compensation shall be made to the owner or owners thereof, or adequate security entered therefor: *And provided further*, That said bridge shall be so constructed as not to interfere with the navigation of the river. Proviso.

SECTION 7. That if any stockholder, after thirty days' notice given in two newspapers of Lehigh and Northampton counties, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of sixty days, after the time so appointed, every such stockholder or his assignee shall, in addition to the instalment so called for, pay at the rate of two per centum per month for every delay of such payment; and if the same and additional penalties shall remain unpaid for such a space of time that the accumulated penalties shall become equal to the sums before paid on account of such shares, the same shall be forfeited to the said company and may be sold to any person or persons and for such price as can be obtained therefor. Penalty for neglecting to pay instalments.

SECTION 8. That the president and managers of the said company, shall keep fair and just accounts of all moneys received by them from said commissioners, and from the subscribers to the said company, and of all penalties for the delay in the payment of stock, and of the amount of profits on shares that may be forfeited as aforesaid, and also all moneys by them expended Fair and just accounts to be kept.

in the prosecution of said work, and shall, at least once in each year, submit such accounts to a general meeting of the stockholders, until the said bridge shall have been completed, and until the cost, charges and expenses of effecting the same shall have been fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained, and if upon such liquidation, or whenever the said stock of the said company shall be nearly expended, it shall be found that the capital stock is not sufficient to complete the said bridge, according to the true intent and meaning of this act, it shall and may be lawful for the president, managers and company at a stated or special meeting, to be convened according to the provisions of this act or their own by-laws, to increase their number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the moneys subscribed for such additional shares, in like manner and under like penalties as is hereinbefore provided for the original subscription.

Property to be  
vested in the com-  
pany.

SECTION 9. That when a complete bridge shall have been erected over the Lehigh river in the township of Washington, Lehigh county, and Lehigh township, Northampton county, near the mouth of Trout creek, the property of said bridge shall be vested in the said company aforesaid, their successors and assigns forever, and the said company, their successors and assigns, may demand and receive toll from travelers and others, not exceeding the following rates, to wit: for every carriage of whatever description used for the purpose of trade or agriculture, having four wheels and drawn by four horses, fifty cents; for every such carriage drawn by two horses, twenty-five cents; for each four wheeled pleasure carriage drawn by four horses, fifty cents; for every such carriage drawn by two horses, twenty-five cents; for every such carriage drawn by one horse, ten cents; for every two wheeled carriage drawn by one horse, ten cents; for every sleigh or sled drawn by four horses, twenty-five cents; for every sleigh or sled drawn by two horses, twenty cents; for every sleigh or sled drawn by one horse, ten cents; every horse with a rider, five cents; every vehicle drawn by oxen at the same rate as the like drawn by horses, rating two oxen for one horse: mules to be rated the same as horses; for every horse driven or led, four cents; for every mule driven or led, four cents; for every score of sheep or swine, ten cents; for every head of horned or muley cattle, two cents; for every footman, one cent: *Provided*, That any person attending funerals, going to or returning from divine service on the Sabbath; all persons going to or returning from elections or military trainings; or students or children attending school or a seminary of learning in the neighborhood of said bridge, shall at all times be exempt from the payment of tolls.

Tolls.

Penalty for re-  
ceiving greater  
fees than are al-  
lowed.

SECTION 10. That if the said company, their successors and assigns, or whatever may possess or own the said bridge, shall demand or receive any greater rates or prices for passing over the said bridge, than are hereinbefore prescribed or specified, or shall neglect to keep the said bridge in good repair, he, she or they so offending, shall for every such offence forfeit and pay the sum of ten dollars, one moiety thereof for the benefit of the poor of the respective county in which the abutments of said bridge shall be placed, each county to be entitled to a moiety of said moiety, and the other moiety of the said ten dollars shall be for the use of the person who may sue for the same: *Provided*,

Proviso.



That no suit or action shall be brought for the purposes aforesaid, unless the same shall have been instituted within six months after such offence shall have been committed.

SECTION 11. That the president, managers and company shall keep a just and true account of all moneys received by the several collectors of tolls, for crossing the said bridge, and declare a dividend of the profits and income thereof, among all the stockholders, deducting therefrom all contingent costs and charges, and such proportions of the said income as may be deemed necessary for a growing fund, to provide against the decay and for the rebuilding and repairing the said bridge; and shall on the first Monday of April and October, in every year, publish the dividend of the said clear profits thereof among the stockholders, and give notice of the time and place, in at least two newspapers published nearest to the said bridge, when and where the same will be paid, and shall cause the same to be paid accordingly, and the president and managers of the aforesaid company shall annually, on the first Monday of December, transmit to the Auditor General a full statement of their affairs under oath.

Account of moneys to be kept.

SECTION 12. That at any time after the expiration of twenty years, from the time of completing said bridge, it shall be lawful for the Commonwealth to purchase the same, by paying to the said company a sum of money, which, together with the dividends declared, shall equal the cost of constructing said bridge, and ten per cent. per annum interest thereon.

Reservation of powers.

W. P. SCHELL,  
*Speaker of the House of Representatives.*

JNO. C. KUNKEL,  
*Speaker of the Senate.*

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.

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No. 744.

## AN ACT

To incorporate the town of Hopewell, Chester county, into a Borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town of Hopewell, in the county of Chester, be and the same is hereby erected into a borough, to be called the "Borough of Hopewell," under and subject to all the provisions not herein named, of an act, entitled "An act regulating boroughs," approved the third day of April, Anno Domini, one thousand eight hundred and fifty-one, bounded as follows: Beginning at a white oak stump, a corner of Henry Sidwell's and John Anderson's land, near to H. Sidwell's barn; thence east two hundred and fifty-four perches to an apple tree, six perches south of Samuel Williams' house; thence north-east thirty-five perches to a

Style.

Boundaries.



corner of Samuel Williams' land, on the line of S. J. Dickey and brothers; thence north-west one hundred and thirty-four perches to a post, four perches north of James M'Intire's house; thence north-west one hundred and twenty-two perches to a maple tree, near the lower factory of S. J. Dickey and brothers; thence south-west eighty-four perches to a white oak tree, near the house of John Winchester; thence by near the same course two hundred and fifteen and one-fourth perches to the place of beginning.

Meetings.

SECTION 2. That it shall and may be lawful for all persons entitled to vote for members of the Legislature, who shall have resided in said borough six months next preceding such election, to meet at the school house in Hopewell, on the third Friday in May of the present year, and on the third Friday in February in each year hereafter, and then and there elect by ballot, one reputable citizen residing in said borough for burgess, to be styled "Burgess of the borough of Hopewell," members of a town council and a high constable, that is to say, at the first election six persons, qualified to serve as members of the House of Representatives of the Commonwealth, to compose the town council, two of whom shall serve for one year, two for two years, and two for three years, to be determined by lot; and at each succeeding election, two persons qualified as aforesaid, shall be elected for members of the town council, to serve for three years; but previously to opening the first election, the inhabitants of said borough, qualified to vote for borough officers as aforesaid, who may be present at the place where the election is to be held, shall choose two persons as inspectors, one as judge, and two as clerks of said election, and said election shall be conducted according to the general election laws of this Commonwealth.

Elections.

Separate election district.

SECTION 3. That the borough of Hopewell shall hereafter form a separate election district, and the qualified voters thereof, shall hold their general and borough elections at the school house in said borough.

School purposes.

SECTION 4. That it shall constitute a separate district for the assessment and collection of county rates and levies, and for school purposes.

Roads.

SECTION 5. That the laws relating to the care of the public roads now existing in the townships from which the borough is composed, shall be the law regulating roads in the borough.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The second day of May, one thousand eight hundred and fifty-three.

WM. BIGLER

## APPENDIX—1852.

No. 745.

## AN ACT

To incorporate the Canton Division, number four hundred and four, Sons of Temperance, of the State of Pennsylvania, located at Canton, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Frederick Hall, J. C. Wright, George W. Griford, Justin Bothwell, Sylvanus Kendall, J. G. Rockwell, F. G. Manly, and all persons now belonging to and composing, or that may hereafter join the society now called “The Canton Division, number four hundred and four, Sons of Temperance, of the State of Pennsylvania,” located at Canton Bradford county, be and they are hereby created a body politic and corporate in law, by the above name, style and title, and by that name shall have perpetual succession, have a common seal, and the same alter at pleasure, make contracts, may sue and be sued, plead and be impleaded, in any court of record or in any other place whatsoever, and to take and hold to them and their successors, either by grant, gift, devise or lease any lands or real estate, for the purpose of erecting thereon a suitable building or buildings, for the use of said Canton Division, number four hundred and four, Sons of Temperance; and also, to take and hold for the use of said society any goods or chattels, sum or sums of money by gift, grant, sale, will, devise or otherwise, from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of said society, and generally to do all and singular the matters and things which shall be lawful for them to do, for the well-being and due management of the affairs of said society: *Provided,* That the yearly income or value of the lands, tenements or other real estate or personal property of said corporation, shall not exceed the sum of two thousand dollars.

Corporators.

Style.

Privilege.

Proviso as to real and personal estate.

SECTION 2. That the object of said corporation shall be to provide, erect and furnish a hall or suitable building or buildings, in the said town of Canton, for the accommodation of said Canton Division, number four hundred and four, Sons of Temperance, established there, or any other association of the kind that may be established there, and also, to promote the interest, elevate the character and secure the happiness of its members, and provide for their families in case of sickness, disability or death, in such manner as shall be ordered or agreed upon by the by-laws of the society.

Object.

SECTION 3. That the government of said society and management and disposition of its affairs and property, shall be vested in a board of trustees, who shall be elected annually, at such

Board of trustees.

- time and in such manner as the said Canton Division, number four hundred and four, Sons of Temperance, may by its by-laws, now in force, provide: *Provided further*, That each of said trustees shall give to the society a duplicate bond with approved security, in such sums as the funds of the society may call for, and by its by-laws may declare and provide.
- Proviso as to the bond of trustees.**
- Membership.** SECTION 4. That each person, on being admitted a member of this society, shall sign the constitution and by laws, and pay such entrance money and weekly and other dues and contribution as the society may, by their by-laws, from time to time resolve and declare.
- Expulsion.** SECTION 5. That a member may be expelled under such provisions as the constitution and by-laws of said society may from time to time declare and provide for a violation of the same.
- Bonds and notes given to said division.** SECTION 6. That all bonds, notes heretofore given or now due or owing to the said Canton Division, number four hundred and four, Sons of Temperance, or bonds or notes by persons given before the passage of this act, to and in the name of said Canton Division, number four hundred and four, Sons of Temperance, shall be taken and deemed to be in law to be money due and owing to said Canton Division, number four hundred and four, Sons of Temperance. *And provided further*, That it shall be the duty of the trustees herein named to bring suit in any court of record or before any justice of the peace of the proper county, for the recovery of the same, whenever ordered so to do by the society.
- Proviso as to trustees bringing suit.**
- Officers.** SECTION 7. That the said corporation shall have power to elect such officers as may be deemed necessary, and, at such times as the society shall appoint, make all necessary by-laws and do all things necessary for the good government of the corporation, not inconsistent with, or contrary to the Constitution of the United States or of the Commonwealth of Pennsylvania.
- By-laws.**
- Reservation.** SECTION 8. That the Legislature hereby reserves the right to revoke, alter or amend this act, whenever it may deem it expedient, in such manner, however, that no injury shall be done the corporators

JOHN S. RHEY,

*Speaker of the House of Representatives.*

JOHN H. WALKER,

*Speaker of the Senate.*

APPROVED—The third day of March, one thousand eight hundred and fifty-two.

WM. BIGLER.



No. 746.

## A N A C T

To incorporate the Westnewton Cemetery Association of Westmoreland county.

WHEREAS, A number of the citizens of the borough of Westnewton, in the county of Westmoreland, and State of Pennsylvania, have associated themselves for the purpose of establishing a cemetery in Rostraver township, near said borough, including about two acres of land lying near the Youghiogheny river, lands now belonging to John C. Plumer, shall be used only for the purpose of interment, have desired that they and their successors may be incorporated for establishing such cemetery, with such powers and privileges as may be necessary for said object ; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alexander Plumer, Jacob Baughman, Samuel J. Row, Jacob Fisher, John Hechts and David Shrader, and their associates and successors, citizens of Westnewton, and vicinity, be and they are hereby made a body corporate and politic, in fact and in law, under the name, style and title of the "Westnewton Cemetery association," and by that name shall be able and capable in law to have and use one common seal, to sue and be sued; to plead and be impleaded, and to do all such other things as are incident to such corporation, and the above named persons to cast lots for the respective terms of one, two and three years services.

Corporators.

Style.

Privileges.

SECTION 2. That the citizens of the borough of Westnewton, and vicinity, owning lots in said cemetery, shall annually elect (at the time of electing constables,) two trustees, who shall hold their office for the term of three years; that the said trustees shall have power to purchase the ground, ornament the cemetery, arrange and dispose of burial lots, to erect the proper buildings when necessary, and to make such by-laws, rules and regulations for lotholders and visitors as may be deemed necessary, not contrary to the constitution and laws of the United States, or of this State, or to this act: *Provided*, That the ground to be appropriated under this act shall at no time exceed six acres.

Trustees and their term of service.

Proviso.

SECTION 3. That the Westnewton cemetery association shall be able and capable, in law, to purchase and hold the said land, and to sell and dispose of the same, and, also, to have and to hold so much personal estate as may be necessary for the purposes of this association: *Provided*, That the lots so sold shall not be used for any other than purposes of burial, and they shall not be liable to attachment or execution, and the said ground, not exceeding six acres, shall not be liable to taxation, except for the purpose of improving said cemetery.

Hold land

Proviso

SECTION 4. That no street or highway shall hereafter be laid out or opened through said ground without the consent of the association; and further, the trustees shall have power to fill any vacancy that may occur by death, resignation or otherwise; and

Vacancies.

also to elect, from their own number, a president, vice president, secretary and treasurer.

Tax.

SECTION 5. That it may be lawful for the said trustees to levy and collect a tax of not more than four mills upon the dollar upon the citizens of the borough of Westnewton aforesaid:

Proviso.

*Provided*, The valuation shall in no case exceed the valuation for State and county purposes, the said taxes to be applied for the purchase of said ground and fencing the same, and all monies arising from the sale of lots shall be applied to the protection, security and ornamenting said cemetery:

Proviso.

*Provided*, That no further tax shall be collected from the citizens of said borough than to pay for the said two acres of land, and for fencing the same.

JOHN S. RHEY,

*Speaker of the House of Representatives.*

JOHN H. WALKER,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, one thousand eight hundred and fifty-two.

WM. BIGLER.

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No. 747.

## AN ACT

To incorporate the Pottsville Mutual and Joint Stock Life Insurance Company, of Schuylkill County.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Benjamin T. Taylor, Samuel Sillyman, James Sillyman, William Wolff, John N. Wagonseller, C. J. Frey, William Pollock, James M. Beatty, William Mortimer, jr., F. W. Hughes, James H. Campbell, John C. Neville, Nathan Evans, Michael Cochran, Bernard Reilly, Charles W. Pitman, Edward Yardly, John G. Brown, John F. Whitney, John W. Webber, Solomon Foster, Richard Lee, Daniel Krebs, Charles W. Taylor, and all other persons who may hereafter be associated with them in the manner hereinafter provided, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of "The Pottsville Mutual and Joint Stock Life Insurance company, of Schuylkill county," and by the same name shall have perpetual succession, and shall be able to sue and be sued; plead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of whatsoever kind, and choses in action, and the same sell and dispose of from time to time, and also to make and have a common seal, and the same to alter and renew at pleasure, and also

Style.

Privileges

to make, ordain, establish and put in execution such by-laws, ordinances and regulations, shall appear necessary and convenient for the government of the corporation, and for the management of its property and the regulation of its affairs, not being contrary to this charter and the laws of this Commonwealth, or of the United States, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well being of said corporation: *Provided*, That the clear yearly value of the lands and tenements of said corporation, including those held for its own use and accomodation, shall not exceed two thousand dollars: *And provided*, That nothing in this act shall be construed to allow said corporation to exercise banking privileges.

Proviso.

Proviso.

SECTION 2. That there shall be an original guaranty joint stock capital, not to exceed one hundred nor less than fifty thousand dollars, to be divided into shares of twenty-five dollars each, and there shall be paid into the treasury of said corporation by each subscriber to the said guaranty capital, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, and the remaining sum due on each share shall be paid in such instalments and at such times, as the financial condition of the company shall require, to enable it to liquidate all claims or demands upon the treasury for losses or expenses; such instalments to be equally assessed on all stocks so subscribed for; all instalments to be paid within sixty days after notice of the same by the directors; the directors shall have power to require security on all stock subscribed for, if they deem it expedient for the safety of the company, and generally to adopt that course they think best calculated to advance the interest of the institution.

Capital stock.

SECTION 3. That the corporation hereby created shall have the power to insure the lives and health of the stockholders of said company, as well as all other persons who shall make application for that purpose, and to make all and every insurance appertaining to or connected with life or health, risks of whatsoever kind or nature, and to receive and execute trusts, to make endowments, and to grant and purchase annuities; and it shall be lawful for any married woman, by herself and in her name, or in the name of any third person, with his assent as her trustee, to cause to be insured for her sole use, the life of her husband, for any definite period or for the term of his natural life, and in case of her surviving her husband, the sum or net amount of the insurance becoming due and payable, shall be payable to her, to and for her own use, free from the claims of the representatives of her husband or any other of his creditors and in case of the death of the wife before the death of her husband her amount of insurance may be made payable after her death to her children, for their use, or to their guardian, if under age.

Powers of corporation.

SECTION 4. That all the corporate powers of said corporation shall be exercised by a board of directors and such officers and agents as they may appoint; the board of directors shall consist of at least eight persons, to be elected from among the stockholders; they shall annually elect from among the members of the corporation, a president and a secretary, treasurer and actuary, who shall continue in office for one year, or until others are elected in their place, and the directors shall have power to declare by by-laws what number of directors less than the whole shall form a quorum for the transaction of business.

Board of Directors.

Election of officers.



## Membership.

SECTION 5. That all persons who shall hereafter insure with said company shall become members during the period they shall remain insured by said company, and no longer, and shall be entitled to one vote at all elections for officers of said corporation.

## Rates of premiums.

SECTION 6. That every person who shall become a member of this corporation by effecting insurance therein shall pay such rates of premiums as shall be fixed upon and determined by the directors before he receives his policy; no member so insured shall be liable for any losses or expenses of said company beyond the amount of his or her premiums so paid to said corporation.

## Rates to be determined by directors.

SECTION 7. That the directors may determine the rates of premiums and terms of insurance, and the sum to be insured from time to time, as they may deem expedient.

## Investment of capital premiums

SECTION 8. That it shall be lawful for said corporation to invest its capital, premiums or profits in bonds and mortgages, ground rents, stocks and loans of the United States and State of Pennsylvania, and to sell, transfer and change the same and re-invest the funds of said corporation, when the directors shall deem it expedient.

## Annual statement of affairs.

SECTION 9. That the directors shall on or before the first Monday in January in each year, cause a statement of the affairs of the company to be made and a balance to be struck of the profit and loss account, and if there shall be any ascertained profits or surplus after paying all losses and expenses of the company for the preceding year, and providing for outstanding risks, the directors shall first set apart said profits and divide therefrom among the subscribers to the guarantee capital, a sum not exceeding six per cent. per annum on the stock held by them: *Provided*, So much of said profits remain after paying said losses and expenses and providing for said risks, and in case there is not sufficient remaining aforesaid, to pay aforesaid dividends of six per cent. to the stockholders in any one year, the same may be made good and payable at a subsequent period when the net resources of the company shall be sufficient for that purpose.

## Proviso.

## Dividends.

SECTION 10. That after providing for all risks, losses, incidental expenses and dividends, as specified in the preceding sections, then a moiety or half part of the remaining profits and surplus, if any there be, shall be reserved by the directors, and applied by them towards paying off the capital stock, which shall have been subscribed, before striking off the balance of the affairs of the corporation as aforesaid, and the other moiety or half part of said remaining profits and surplus, may be divided among the stockholders and the persons insured, according to their respective interests, one-half among the stockholders, and the other among the insured; but no dividend whatever shall be made, whereby the capital stock of said corporation shall be reduced or impaired, only as provided for above.

## Forfeiture of stock.

SECTION 11. That in case of the death of any stockholder or person insured, the amount standing to his or her credit, if any, shall be paid over to his or her legal representatives within sixty days after proof of the same; the profits and dividends of such stockholders and persons insured, as have ceased to comply with the rules and regulations of the company by non-payment of premiums, or a renewal of the policy of insurance, shall be forfeited to the use of the company.

SECTION 12. That within thirty days after the first Monday in January, one thousand eight hundred and fifty, and annually thereafter, the directors of said company shall cause to be made a general balance statement of the affairs of said company, which shall be entered in a book prepared for that purpose; such statement shall contain

I. The amount of premiums received during the previous year, and the amount of interest received from investment and loans.

II. The amount of expenses for the same period.

III. The amounts of losses incurred within the same terms.

IV. The balance remaining with the said company.

V. The nature of the securities in which the said balance is invested, and the amount of cash on hand; also a full account of existing policies; and the directors shall cause the said statement to be published, at least in one newspaper published in Schuylkill county, for two weeks.

SECTION 13. That the business of said corporation shall be carried on at such place, in the borough of Pottsville, as the directors shall direct, and at such agencies, out of said borough, as they may establish; and the first meeting of this corporation shall be held as soon as practicable after the passage of this act, at which time eight directors shall be elected by ballot, also a president and vice president, to serve until the end of the financial year, or until others are elected in their place; the said directors shall pass all by-laws, rules and regulations necessary for the good government of the affairs of the company, they shall determine the rates of insurance, and the amount of each risk, they shall have the power of calling meetings, and fixing stated periods for the same; also to appoint such officers, agents and clerks, and fix the salaries of the same, as they shall deem necessary and expedient for the transaction of the business, and the good of the corporation.

SECTION 14. That if any director, officer, or other person connected with this institution, shall fraudulently embezzle, or appropriate to his own use, or to the use of any other person, any money or other property belonging to said institution, or left with it as a special deposit or otherwise, he or they, upon conviction thereof in the court of quarter sessions, shall be fined in a sum not less than five hundred dollars, and be sentenced to, and undergo an imprisonment in the penitentiary, or county prison, for any term not exceeding two years, at the discretion of the court: *Provided*, That this conviction shall not prevent any person aggrieved, from pursuing his or her civil remedy against such person or persons.

SECTION 15. That every person who shall subscribe to the capital stock of this company, shall be liable for the amount of his or her or their stock so subscribed and the amount of premiums paid by them for insurance and no further.

SECTION 16. That the board of directors may fill vacancies in their body, occasioned by death, resignation, removal or refusal to act; the said appointments to continue until the next annual election of directors; the election for directors shall be held on the first Monday of January in each year, at such place in the borough of Pottsville, and at such hour in the day as the directors shall designate, of which time and place the secretary shall give notice at least two weeks previous, in one or more newspapers published in Schuylkill county, and the directors shall appoint three persons from among the stockholders to conduct

Ratio of votes.

said election; such election shall be by ballot, and a plurality of votes given shall elect; each shareholder shall be entitled to vote as follows: For one share one vote, for three shares two votes, for six shares three votes, for ten shares four votes, for sixteen shares five votes, for twenty-five shares six votes, for thirty-five shares seven votes, for fifty shares eight votes, for seventy-five shares nine votes, for one hundred shares or upwards, ten votes; absent stockholders may be represented by proxy.

Eligibility

SECTION 17. That no person shall be eligible to the office of director, secretary, treasurer or actuary, who does not hold at least five shares of the guaranty capital stock; all officers, agents, clerks and physicians of the company, must effect insurance on their life or on the life of some other person in this company, for such amount and for such length of time as the by-laws may require.

JOHN S. RHEY,

*Speaker of the House of Representatives.*

JOHN H. WALKER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-two.

WM. BIGLER.

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No. 748.

## A N A C T

To incorporate the President. Managers, and Company of the Frankford and White Hall Turnpike Road Company; relating to Elections in the city and county of Philadelphia; to Sheds on Wharves in the Northern Liberties; to Henry Delany's Real Estate; to Elections in Upper Heidelberg township, Berks county; Oakford street, Moyamensing; to the Estate of Emma Y. Donelson and John J. Williams; relative to premiums on Wolf Scalps in Clinton county; to authorize Swedes Ford Bridge Company to borrow money.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Isaac F. Baker, Henry W. Ditman, George Baker, William Smedley, Mahlon Murphy, William Overington, Charles Murphy, Henry C. Pratt, Alexander C. Hyer, James Willis, John Shallcross and George W. Deal, all of the county of Philadelphia, be, and they are hereby appointed commissioners, to do and perform the several things hereinafter mentioned, that is to say, they shall on or before the first day of July next, procure two books, and in each of them enter as follows: "We, whose names are hereunto subscribed, do promise to pay the president and managers of the Frankford and Whitehall turnpike road company, the sum of twenty-five dollars for every share of*

Form of subscrip-  
tion.



stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the General Assembly of this Commonwealth, entitled 'An act to incorporate the president and managers of the Frankford and Whitehall turnpike road company.' Witness our hands the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, one thousand eight hundred and fifty-two;" and thereupon shall give notice in two public papers printed in the city of Philadelphia, and one in the borough of Frankford, for twenty days at least, of the time and place when and where the said books shall be opened to receive subscriptions for the stock of the said company, at which time and places one of the said commissioners shall attend and permit and suffer all persons of lawful age, who shall offer to subscribe in said books, in their own names or in the names of any other persons, who shall duly authorize the same for any number of shares of stock; and the said books shall be kept open respectively for the purposes aforesaid, at least six hours in every juridical day, for the space of five days, or until the said books shall have two hundred shares therein subscribed; and if at the expiration of the said five days the books aforesaid shall not have the said number of two hundred shares therein subscribed, the commissioners respectively may adjourn from time to time, and transfer the said books from place to place, until the whole number of shares shall be subscribed; of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed shall amount to two hundred, the same shall be closed: *Provided* Proviso. *always,* That every person offering to subscribe in said book, in his own or any other name, shall previously pay to the attending commissioner or commissioners, the sum of one dollar for every share to be subscribed, out of which shall be defrayed such incidental charges and expenses as may be necessary for taking such subscription, and the remainder shall be paid to the treasurer of the corporation, as soon as the same shall be organized, and the officers chosen as hereinafter mentioned.

SECTION 2. That when ten persons or more shall have sub- Letters patentscribed fifty shares of the said stock, the said commissioners respectively, may or when the whole number of shares aforesaid, shall be subscribed, they shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the Governor of this Commonwealth, whereupon it shall and may be lawful for the Governor, by letters patent, under his hand and seal of State, to create and erect the subscribers, and if the subscription be not full at the time, then, those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "the President and Managers of the Style, Frankford and Whitehall Turnpike Road company," and by the said name the said subscribers shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding the capital stock, and the increase and profits thereof, and of enlarging the same by new subscription, in such manner and form as they shall think proper, Privileges if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and con-

veying in fee simple, or for any less estate, all such lands tenements and hereditaments and estate, real and personal, as shall be necessary to them, in the prosecution of their works and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Commissioners to  
give public notice.

SECTION 3. That the commissioners aforesaid, as soon as conveniently may be, after the said letters shall be sealed and obtained, shall give public notice in two public papers, printed in the city of Philadelphia, and one in the borough of Frankford, of a time and place, by them to be appointed, not less than fifteen days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the subscribers by ballot, to be delivered in person, one president seven managers and one treasurer, and such other officers as may be necessary to conduct the business of said company, until the last Monday of December next, and until such other officers shall be chosen, and shall and may make such by-laws, orders and regulations not inconsistent with the constitution and laws of the United States and of this Commonwealth, as shall be necessary for the well ordering the affairs of said company: *Provided always*, That no person shall have more than twelve votes at any election or in determining any question arising at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share held by him, under that number: *And provided also*, That no stockholder, whether the original subscriber or assignee, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares, by him or her held, at the time of such election, shall have been fully paid and discharged.

Proviso.

Proviso.

Meeting of stock-  
holders.

SECTION 4. That the stockholders of the said company shall meet on the last Monday of December in every year, at such places as shall be fixed by their by-laws, for the purpose of choosing such other officers as aforesaid, for the ensuing year, in manner and form, as shall be determined by their by-laws, at which annual or special meetings they shall have full power and authority to make, alter or repeal by a majority of votes, in manner as aforesaid, all such by-laws, rules, orders and regulations made as aforesaid, and to do and perform any other corporate act.

Certificates of  
stock.

SECTION 5. That the said president and managers shall make out certificates of stock signed by the president and countersigned by the treasurer and sealed with their corporate seal, and deliver one certificate to each subscriber, for any share or number of shares by him or her held, on him or her paying to the treasurer on each share so held, the sum of one dollar, which certificate shall be transferable in person or by attorney, on the books of said company, only subject to the sum due or to become due, on his share or shares so transferred.

To enter upon  
lands.

SECTION 6. That it shall be lawful for the said president and manager, their superintendents, surveyors, engineers, artists, and chain-bearers to enter in and upon all and every the lands, tenements and inclosures, in, through, and over which the said intended turnpike road may be thought proper to pass, and for that purpose to examine the ground and quarries of stone, and gravel, and other materials that may be necessary in making and



constructing the said road. It shall be made in, over and upon the old bed of the Bridesburg road, known as Bridge street, commencing at the intersection of said road with the Frankford and Bristol turnpike road, at the rocks, to the Tacony road at the westerly corner of ground of the Frankford Arsenal.

SECTION 7. That the said president and managers, five of whom shall for that purpose be a quorum, shall keep minutes of all their proceedings, fairly entered in a book to be kept for that purpose, and shall have full power and authority to appoint, agree or contract with such engineers, superintendents, artists, laborers, and other persons, as they may think necessary to make and construct said road and collect the tolls hereinafter authorized, and fix their compensation; to ascertain the times, manner and proportions in which the stockholders shall pay the amount of their respective shares, in order to carry on their work; to draw orders on the treasurer for all debts contracted by them, which orders shall be signed by the president, or, in his absence, by a majority of the managers, and attested by their secretary; and to do and transact all other acts, matters or things as, by the by-laws, orders and regulations of the said company, shall be entrusted to them.

SECTION 8. That if any stockholder, whether original subscriber or assignee, after twenty days' notice in two newspapers printed in Philadelphia, and one in the borough of Frankford, of the time and place appointed for the payment of any instalment or proportion of the capital stock, shall neglect to pay such proportion, at the place appointed, for the space of thirty days after the time appointed for the payment thereof, any such stockholder shall, in addition to the instalment so called for, pay at the rate of two per centum per month for every delay of such payment; and if the same and additional penalty shall become equal to the sum before paid in part on account of such share, the same may be forfeited by and to the said company, and may be sold by them for such price as may be obtained therefor; or in default of payment of any stockholders of such instalments as aforesaid, for the space of sixty days aforesaid, the president and managers may, at their election, cause suit to be brought, in the same manner as debts of like amount are now recoverable, for the recovery of the same, together with the penalties aforesaid.

Penalty for not paying instalments.

SECTION 9. That it may be lawful for the said president and managers, by and with their superintendents, engineers, artists, workmen, laborers, their tools and instruments, carts, wagons and other carriages, and beasts of draught or burden, to enter in and upon the lands contiguous and near to which the said road shall be made or constructed, first giving notice of their intentions to the occupiers thereof and doing as little damage thereto as possible, and making amends for damages, upon a reasonable and equitable agreement by the parties; or if they cannot agree thereupon, a just and equitable assessment, to be made upon oath or affirmation, by three disinterested freeholders, or any two of them, to be mutually chosen; or if either party, upon due notice, shall neglect or refuse to join in the choice, then to be chosen by a justice of the peace of the county wherein the land lies, who shall not be interested therein; and upon the tender of the assessed value, to dig and carry away any timber, stone, sand, earth, or other materials necessary or suitable for making said road: *Provided*, That no part of this

Damages.

Proviso.



act shall authorize the taking of any property by said company, unless the same be previously paid for, or adequate security given to the owners for the payment thereof.

Fair and just  
accounts to be  
kept.

SECTION 10. That the said president and managers shall keep fair and just accounts, as well of all monies received by them as of those paid out and expended in the prosecution of the work and shall, at least once in every year, submit their books and accounts to a general meeting of the stockholders, and whenever it shall be ascertained that the capital stock of the said company is not sufficient to complete the said road according to the true intent and meaning of this act, it shall and may be lawful for the president and managers, at a stated or special meeting convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such an extent as they shall deem sufficient to accomplish the work, and to demand and receive the monies subscribed for such additional shares in like manner and under like penalties as are provided by this act, in the case of the original subscription.

Power to erect  
bridges.

SECTION 11. That the said president and managers shall have power to erect good and sufficient bridges over all the streams of water crossed by said route whenever the same shall be found necessary, and shall cause a road to be laid out not exceeding fifty feet in width, and shall cause at least eighteen feet of said width to be made an artificial road of wood, stone, gravel or other proper and convenient materials, such as the nature of the ground may require, and will afford to be constructed in such manner as will admit an even surface, and so nearly level in its progress that it shall in no place raise or fall more than will form an angle of five and a half degrees from a horizontal line: *Provided*, That if in the opinion of the said president and managers any part of the ground on the route of said road shall be so hard and compact as to make a good road without any covering of wood, gravel, stone, slate or other hard substance, the said president and managers are hereby authorized to construct such part of said road without any such covering, and shall forever thereafter maintain and keep the same in good order and repair.

Proviso.

Commissioners to  
view

SECTION 12. That whenever the said company shall have finished said road the president thereof may give notice to the Governor, who shall thereupon forthwith appoint three skilful, judicious and disinterested persons to view and examine the same, and report, on oath or affirmation, to him whether the said road is so far executed in a competent and workmanlike manner, according to the true intent and meaning of this act, and if this report shall be in the affirmative, then the Governor shall, by license under his hand and the seal of the State, permit and suffer said company to erect and fix such and so many gates upon and across the said road as will be necessary and sufficient to collect from all persons otherwise than on foot the same tolls as are hereinafter authorized and granted.

Tolls, how col-  
lected.

SECTION 13. That when the said company is licensed in manner aforesaid, it shall and may be lawful for them to appoint such and so many toll-gathers as they shall think proper, to collect and receive of and from all and every person and persons using the said road the toll and rates hereinafter mentioned, and to stop any person riding, leading or driving any horses, cattle, hogs, sheep, coach, coaches, sulkey, chair, chaise, phaeton, cart, wagon train, sleigh, sled or any other carriage of burden or pleasure from passing through the said turnpikes until they shall

respectively have paid the same, that is to say for every five miles in length of the said road completed and licensed as aforesaid, the following sums of money and so in proportion for any lesser distance or for any greater or lesser number of sheep, hogs, or cattle, to wit: For every score of hogs, six cents; for every score of sheep, six cents; for every score of cattle, twelve cents; for every horse and his rider or led horse, five cents; for every sulkey, chair or chaise with one horse and two wheels, eight cents; and with two horses, ten cents; for every chariot, coach, phaeton or dearborn with one horse and four wheels, ten cents; for every coach, chariot, phaeton or chaise with two horses and four wheels, fifteen cents; for either of the carriages last mentioned with four horses, twenty-five cents; for every other carriage of pleasure, under whatever name it may go, the like sums according to the number of wheels and horses drawing the same; for every stage wagon with two horses, twelve cents; and for every such wagon with four horses, twenty cents; for every sleigh, four cents for each horse drawing the same; and for every sled, three cents for each horse drawing the same; for every cart or wagon the wheels of which shall not exceed four inches, six and a quarter cents for each horse drawing the same; and for every cart or wagon the wheels of which shall be four inches and not exceed seven inches, four cents for every horse drawing the same; for every cart or wagon the breadth of the wheels of which shall be more than seven inches, three cents for every horse drawing the same; and if any person or persons shall represent to the said company or any of their officers, that he, she or they have traveled a less distance than he, she or they have actually traveled along said road, with intent to defraud said company of its toll, or any part thereof, such person or persons shall for every such offence, forfeit and pay to the use of said company the sum of five dollars, and if any toll-gatherer shall demand and receive toll for a greater distance than the person of whom such toll is demanded shall have traveled along said turnpike road, or shall demand and receive greater toll from any person or persons, than such toll gatherer is authorized to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of five dollars for every such offence, to the supervisors of the township in which the forfeiture is incurred, to be expended in repairing township roads, and for the payment of which the said company shall be responsible.

SECTION 14. That if the said company shall neglect to keep the said road in good traveling order and repair, for the space of thirty days, and information thereof shall be given to any justice of the peace of the neighborhood within the county where the repairs ought to be made, such justice shall issue a precept to be directed to any constable, commanding him to summon three disinterested persons to meet at a certain time, in said precept to be mentioned, at the place in said road which shall be complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto, within the said county, and the said justice shall at such time and place, on the oaths or affirmations of the said persons, inquire whether the said road or any part thereof is in such good traveling order and repair as aforesaid, and shall cause an inquisition to be made under the hands of himself and a majority of the said persons, and if the said road shall be found by the said inquisition to be out of order and repair, contrary to the true intent and meaning

Rates of toll.

Penalty for neglect to keep the road in good order and repair.



of this act, the said justice shall certify and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpike or gates shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put in good traveling order and repair as aforesaid, and if the same shall not be so put in good traveling order and repair before the next general court of quarter sessions of the peace, to be held for the county in which the defect is proved to be, the aforesaid justice shall certify and send a copy of the inquisition aforesaid to the judges of the said court, and the said judges shall thereupon cause process to issue, and bring in the body or bodies of the person or persons, entrusted by the company with the care and superintendence of such part of the said road as shall be so found defective, and shall proceed thereon as in cases of supervisors of highways for neglect of their duty, and if the person or persons entrusted by the said company as aforesaid, shall be convicted of the offence by the said inquisition charged, the said court shall give judgment according to the nature and aggravation of the neglect, as according to right and justice would be proper in the case of supervisors of the highways neglecting their duties, and the fines and penalties so to be imposed, shall be recovered in the same manner as fines for misdemeanors are usually recovered in the said court, and shall be paid to the supervisors of the highways of the township wherein the offence was committed, to be applied to repairing the public roads within such township.

Fine for avoiding  
to pay toll. &c.

SECTION 15. That if any person or persons, whosoever, owning, riding in or driving any sulkey, chair or chaise, phaeton, cart, wagon, sleigh, sled, or other carriage of burden or pleasure, riding or leading any horse, mule, mare or gelding, or driving any hogs, sheep or other cattle, shall therewith pass through any private gates or bars, or along or over any gates or private bars, or along or over any private passage way or other ground, near to or adjoining any turnpike or gate erected, or which shall be erected in pursuance of this act with an intent to defraud the company and avoid the payment of the toll or duty for passing through any such gate or turnpike, or if any person or persons shall, with such intent, take off, or cause to be taken off, any horse, mare or gelding or other cattle, from any sulkey, chair, chaise, phaeton, cart, wagon, sleigh, sled or other carriage of burden or pleasure, or practice any other fraudulent means or device, with the intent that the payment of any such toll or duty may be evaded or lessened, all and every such person or persons, in all or every or any of the ways or manners offending, shall for every such offence respectively forfeit and pay to the president and managers of the Frankford and Whitehall turnpike road any sum not exceeding ten dollars, to be sued for and recovered with costs of suit before any justice of the peace, in like manner and subject to the same rules and regulations as debts of a similar amount are by law sued for and recovered.

Commencement  
and completion of  
road.

SECTION 16. That if the said company shall not proceed to carry on the said work within three years after the passage of this act, or shall not, within six years afterwards, complete the same according to the true intent and meaning of this act, then, or in either of those cases, all and singular the rights, liberties,



privileges and franchises, hereby granted, shall revert to the Commonwealth.

SECTION 17. That the judges, inspectors and clerks of the several election districts and precincts in the city and county of Philadelphia, shall each receive four dollars from the county treasury, which shall be a full compensation for all services rendered by said officers, under existing laws, and the county commissioners of Philadelphia county are hereby authorized and required to increase the compensation of the officers and clerks who conducted the election of eighteen hundred and fifty-one, under the act of the twenty-eighth day of April of that year to the same amount: *Provided*, That at the spring elections, hereafter to be held in the county of Philadelphia, said officers shall not receive a greater amount than three dollars each for their services.

Compensation for officers of elections in the city and county of Philadelphia.

Proviso.

SECTION 18. That the judge, inspectors, and clerks of each precinct of the several wards of the city of Philadelphia, shall make out a complete and perfect return of all the votes given at any general and special elections, designating the number of votes each person receives, and the name of the person voted for; and the judge and inspectors shall appoint one of their number for return judge, to meet the other return judges of the wards and precincts in said city, at the state house, on the second day after any election, and there add together the number of votes given for each person voted for, and make out the returns, as the nature of the election may require, complying in all respects with the provisions of existing election laws; and in like manner the judges, inspectors, and clerks of each precinct of the wards of each election district, in the county of Philadelphia, shall in like manner make out a return, and appoint one of their number as return judge, to meet the return judges of the wards and precincts of each incorporated district, at the commissioners hall in each district, and add together the number of votes given for each person voted for, and make out the returns, as the nature of the election may require, complying in all respects with the provisions of existing laws; and each of the said judges shall receive the sum of two dollars, in addition to the pay authorized by the next previous section of this act, as full compensation for their services in making said returns.

Returns of elections, how made out.

SECTION 19. That the commissioners of the incorporated district of the Northern Liberties, in the county of Philadelphia, be and they are hereby authorized to grant permission to owners of wharf property, in said district, to erect sheds of not more than one story, not exceeding fifteen feet in height, on the piers or wharves, to protect goods and merchandize to be loaded on, or unloaded from any steam-ship, steamboat, packet or canal boat lying at such wharf or pier, and for no other purpose whatsoever: *Provided*, That no permit for the purposes aforesaid shall be given, unless two-thirds of the board of commissioners shall agree thereto, and the said permit shall specify the length and breadth of such shed, and the material of which the same shall be constructed, except that neither stone nor brick shall be used above the line of the grade or regulation of the Delaware wharves or piers, and reserving to the said board of commissioners the right, at any time, to revoke the said permit, and also to remove any shed not built in conformity to the permit, or having been built in conformity with the permit, shall be used for

Owners of wharf property authorized to erect sheds

any other purpose than herein specified; and the said removal shall be at the proper cost and expense of the owner thereof.

Real estate of  
Henry Delaney  
exempted from  
the lien of the of-  
ficial bond of Wil-  
liam Deal

SECTION 20. That the court of common please of Philadelphia county is hereby authorized on the application of Henry Delaney, one of the sureties of William Deal, sheriff of the said county, to make an order exempting from the lien of the official bond and recognizance of the said sheriff, and of any judgment or proceeding thereon, a lot of ground in the district of Richmond, in the said county, containing on the southwestwardly side of Dauphin street about eighty-eight feet, on the southeastwardly side of Gaul street, about one hundred and fifty-three feet, eight inches on a line running eastwardly, parallel to Norris street, between this lot and land now or late of Henry and Charles Delaney, about one hundred and twenty-five feet, seven inches, and northwardly along the line of Charles Delaney's land, about one hundred and ten feet to Dauphin street, on the deposit by the said Henry Delaney, as the said court may direct, as a security in lieu of the said lot of ground of one or more certificates of the loan or funded debt of this Commonwealth to such amount as the said court may direct, or other security, such as the said court may approve, and upon such order and approval of such substituted security, the said lot of ground, with the appurtenances, shall be exempted and exonerated from all and every such lien: *Provided*, That this section shall not take effect until the assent in writing of all the other sureties on the bonds of said sheriff shall first be obtained.

Upper Heidel-  
berg, Berks  
county.

SECTION 21. That the general elections in the townships of Upper Heidelberg, Berks county, now held at the public house of Michael Seltzer, in the borough of Wormelsdorf, shall hereafter be held at the public house now occupied by William Dissenbach, in said township. •

Repealed.

SECTION 22. That so much of the twenty-third section of the act passed the nineteenth day of April, one thousand eight hundred and forty, authorizing the laying out of Oakford street from Schuylkill Fifth to Broad street, in the district of Moyamensing, and county of Philadelphia, be and the same is hereby repealed.

Administrator of  
John J. Williams,  
authorized to ex-  
ecute deeds of  
conveyance.

SECTION 23. That the administrators of the estate of John J. Williams, late of the city of Philadelphia, deceased, be, and they are hereby authorized and empowered to execute deeds of conveyance to such persons or their legal representatives, as the said deceased, in his lifetime with one Adam Mintzer contracted, to sell and convey certain lands of which they were the joint owners, in the county of Crawford; and the said administrators are also authorized and empowered to make sale by private contract of all or any part of the lands of the intestate, undisposed of in the county of Crawford aforesaid; to secure the legal appropriation of the moneys that may be made from the sale of the last mentioned lands, the administrators shall enter into recognizance with security, to be approved of by the court or one of the judges thereof, in the orphans' court of the city and county of Philadelphia; and the administrators are hereby authorized and empowered to appoint an attorney in part to make sale of the lands aforesaid, and to execute deeds in their names, or in the names of the survivors or survivor, to any former or future purchasers, as fully and effectually as the administrators might or could make.



WHEREAS Eliza Farquhar, late of the city of Philadelphia, widow, by her last will and testament, bearing date the ninth day of June, Anno Domini, one thousand eight hundred and forty-nine, duly proved and remaining on file in the register of wills office for the county of Philadelphia, did amongst other things give, devise and bequeath to her daughter Emma Y. Donelson, a certain vacant lot of ground, situated between numbers four hundred and eighty-one (481) and four hundred and eighty-three Chesnut street, in the city of Philadelphia, to be held by her for her own proper use and benefit, for and during the term of her natural life, and to manage, rent, and improve the same as she may see fit; and to receive the rents, issues and profits thereof for her own use and benefit, at the same time giving her full power to devise and bequeath to her heirs at law the aforesaid lot of ground, in such manner and with such restrictions as to her may seem right, by any instrument of writing in the nature of a last will and testament: Preamble.

And whereas, it is proposed to improve the said lot of ground by erecting buildings thereon, the said lot of ground being now vacant and unoccupied and wholly unproductive, the said Emma Y. Donelson being burthened with the taxes and expenses of the said lot, without receiving any revenue therefrom, and it is desirable that a sufficient sum of money should be raised to pay for the improvement of the said lot of ground, but doubts are entertained whether under the last recited clause in the said will sufficient power is given to mortgage the said premises, and the exercise of such power for the purpose hereinbefore mentioned, would greatly enhance the value of said property; therefore,

SECTION 24. *Be it enacted by the authority aforesaid.* That it shall be lawful for the said Emma Y. Donelson, to mortgage all that certain lot or piece of ground situate on the north side of Chesnut street, east of Schuylkill Eighth street, lying between messuages numbers four hundred and eighty-one (481) and four hundred and eighty-three (483) Chesnut street, in the city of Philadelphia, containing in front or breadth on the said Chesnut street, twenty-one feet, and in length or depth northward, one hundred feet to Joint alley, to any person or persons, corporation or corporations, to secure the repayment of any sum or sums of money that may be borrowed by the said Emma Y. Donelson, for the purpose aforesaid; and that such mortgage or mortgages shall be as good and available in law and in equity, to all intents and purposes, as if the said property was held in fee simple by the said Emma Y. Donelson, at the time of the execution of such mortgage or mortgages by her: *Provided*, That the mortgagee or mortgagees shall not be required to see to the application of any money or moneys borrowed by the said Emma Y. Donelson, under the authority of this act. Emma Y. Donelson authorized to mortgage certain real estate.  
Provided.

SECTION 25. That the treasurer of Clinton county, be and he is hereby authorized and directed to pay such premium on the scalps of wolves, panthers, wild cats and foxes, as is now authorized by law, to be paid for similar scalps, by the treasurer of the county of Lycoming. Premiums on fox scalps in Clinton county.

SECTION 26. That the president, managers and company of the Schuylkill bridge, at Swede's Ford, in the county of Montgomery, be and they are hereby authorized to borrow, upon the credit of the said bridge company, any sum of money not exceeding seven thousand dollars, for which certificates of loan shall be President and managers of Schuylkill bridge at Swedes' ford to borrow money.



issued, in sums not less than one hundred dollars, bearing a rate of interest not exceeding six per cent. per annum.

JOHN S. RHEY,

*Speaker of the House of Representatives.*

JOHN H. WALKER,

*Speaker of the Senate.*

APPROVED—The first day of May, one thousand eight hundred and fifty-two.

WM. BIGLER.

No. 749.

## AN ACT

To incorporate the Odd Fellows' Lodge Association of Jersey Shore.

Corporators

Style

Privileges

Management of  
affairs.

Seal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Huston Hepburn, John J. Sanderson, Robert Crane, Stephen Winchester, Michael Sypher and C. H. Noltie, and all persons who are now or may hereafter be associated with them, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of "Jersey Shore Lodge Association of Odd Fellows" of the borough of Jersey Shore, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and sue for and recover any debts due to the trustees of the Jersey Shore Lodge of Odd Fellows, or any of them shall be capable of purchasing land for the purpose of erecting a suitable building for the use of said association, and generally to do all and singular the matters and things which shall be lawful for them to do, for the well-being and due management of the affairs of said association: *Provided,* That the real estate of said corporation shall not exceed the net yearly income of two thousand dollars.

SECTION 2. That the government of said Odd Fellows' Hall Association, and the management and disposition of its affairs and property, real and personal, shall be vested in a board of trustees, who shall be elected at such time and in such manner as the said association shall by the by-laws provide.

SECTION 3. That it shall and may be lawful for the said corporation to have a common seal, and the same, at their will and pleasure, to change, alter and renew, as they may think proper.

JOHN S. RHEY,

*Speaker of the House of Representatives*

C. MYERS,

*Speaker of the Senate.*

APPROVED—The fourth day of May, one thousand eight hundred and fifty-two.

WM. BIGLER

## APPENDIX—1851.

No. 750.

## AN ACT

To incorporate the Mount Eagle and Tremont Railroad Company; to a premium on Fox Scalps in Dauphin and Fayette counties; to the Estate of Philip Wolfersberger, deceased; to the publication of Notices to Union county, and to Bridges in Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Eckel, Levi S. Spangler, T. A. Godfrey, C. E. Spangler, Henry K. Strong, John M'Candless, Algernon S. Roberts, John B. M'Creary, John Hipple, senior, John Barnett, Samuel Gaskins, David M'Cormick, James Clark, Henry Hill, Daniel B. Althouse, Eli K. Price, R. Rundle Smith, J. Anspach, F. W. Hughes, Henry Adam, George Richards, Washington Bigler, William Graeff, James Dundas, T. M. O'Brien, John George, Jefferson Shirk, David M. Rank, John Dutter, George Hoffman, John Brummer, Christian Lentz and their associates, or any two of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mount Eagle and Tremont railroad company, with all the powers and subject to all the provisions and restrictions prescribed by an act entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine. Commissioners.  
Style.  
Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of twenty dollars each: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and to carry out the true intent and meaning of this act. Capital stock  
Provided

SECTION 3. That the said company shall have the right to build and construct a railroad from a point on the Mine Hill or Swatara railroad, at or near the town of Tremont, in the county of Schuylkill, to a point near Mount Eagle, in the county of Lebanon, with the privilege of connecting the said Tremont and Mount Eagle railroad with the before named Mine Hill or Swatara railroad, at or near the town of Tremont, and also with the privilege of connecting with the Dauphin and Susquehanna or Pequa railroad, at or near Mount Eagle; that the said company shall make and construct the railroad on the most direct and practicable route, and shall have the power to decide whether the road shall be made with double or single track. Rights and powers of company

Branch railroad.

SECTION 4. That the said company are hereby authorized to construct branch railroads, not exceeding five miles in length, from the main line, to accomodate the owners of coal lands, subject to the same conditions and restrictions as are hereinbefore provided.

Use of Locomotives.

SECTION 5. That if the president and managers of said company shall deem it expedient to use locomotive engines and tenders on said railroad, or the branches, or lateral roads thereof that may be constructed by the said company, for the conveyance of coal, passengers, merchandize or other commodities, or to permit the same to be done by others; the president and managers shall have authority to do and to make such regulations concerning the same as may be necessary, with like penalties for any infraction thereof, and remedies for the recovery of the same as now are or may hereafter be prescribed by law, in regard to the use and regulation of the motive powers of the railroads of this Commonwealth, or of the incorporated companies thereof.

Tolls.

SECTION 6. That the charges for tolls, freight, motive power, use of cars and the transportation of passengers, shall not exceed the rates charged by the Mine Hill and Schuylkill Haven railroad company, on their road at such time as the same is transported or used: *Provided*, That no charge shall be made by said company for toll or motive power on empty coal or freight cars: *And provided*, That coal operators may use their own, or the cars of any other company for the transportation of coal and other commodities.

Proviso.

Regulation of tolls on tonnage, &amp;c.

SECTION 7. That upon all passengers and tonnage which may pass over said road on, to or from the Pennsylvania railroad, except coal, iron, iron ore and gypsum, and which may come from or which may be destined to Philadelphia, or any point east of the river Delaware, shall be levied and collected the same tax as is imposed by the eighth section of an act entitled "An act authorizing the laying out of State road from Schuylkill township, in Schuylkill county, to Roaring creek township, in Columbia county; relative to the Lebanon Valley railroad company, and to President township, in Venango county," on the Lebanon Valley railroad company, and said tax shall be collected in the same manner as it is provided in said section, the tax thereon imposed on the said Lebanon Valley railroad company shall be collected, and the same statement shall be made out and transmitted by said Mount Eagle and Tremont railroad company in the same manner as is required by said section of the said Lebanon Valley railroad company.

Repeal.

SECTION 8. That so much of any act or acts of Assembly as are hereby altered or supplied, or shall in any manner conflict with the provisions hereby enacted, be and the same are hereby repealed.

Fox scalps.

SECTION 9. That the premium for fox scalps, in the counties of Dauphin and Fayette, shall hereafter be one dollar.

Deed authorized to be made by John and Philip Wolfersberger.

SECTION 10. That John Wolfersberger and Philip Wolfersberger are hereby authorized to make and execute a deed or deeds in fee simple, for a certain house and lot of ground, situate near Palmyra, Lebanon county, in pursuance of a trust imposed and created by the last will and testament of Philip Wolfersberger, of Lebanon county, deceased: *Provided*, That the proceedings shall first be approved of and confirmed by the Orphans' Court, of Lebanon county.



SECTION 11. That hereafter all notices, statements and other publications required to be made by law, in more than one newspaper by the county commissioners, prothonotary, clerk of the orphans' court, register and recorder, of the county of Union, shall be inserted and published in a newspaper printed in said county, in the German language, if their shall be a German paper published in said county: *Provided*, That the publishers of said paper shall not charge more than the usual prices for such work. Notices, &c. to be published in a German paper in Union county.

SECTION 12. That the twenty-second section of an act, entitled "An act authorizing the borough of Bolivar, in Westmoreland county, to dig a public well; in relation to State and turnpike roads; to the pay of the commissioners, of Westmoreland county; incorporating the Wellersburg and West Newton plank road company; empowering the Auditor General to examine the claim of Samuel Kerr, and relative to bridges, in Lebanon county," be and the same is hereby repealed. Repeal.

JOHN CESSNA,  
*Speaker of the House of Representatives.*

BENJN. MATTHIAS,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.

No. 751.

## AN ACT

To incorporate the Pennsylvania Saving Fund of Philadelphia.

WHEREAS, The saving of small sums of money as well as general habits of frugality, are greatly promoted by the establishment of well regulated and responsible institutions, in which the small savings of the industrious and prudent are preserved and accumulated: Preamble

*And whereas*, The largely increased population of the city and county of Philadelphia, and adjacent counties, numbering more than a half million of people, require another institution similar in its constitution, objects and management, to the Philadelphia saving fund society; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Robert Morris, Joseph Yeager, James Crissy, Joseph M. Thomas, William Vodges, John Lindsey, John Yarrow, George Taber, James Traqueir, Benjamin Baker, Benjamin Matthias, William W. Haley, Samuel W. Weer, Marmaduke E. Moore, James S. Earle, Allen A. Miller, Jacob E. Haggert, James D. Whetham, Edward C. Markley, Freeman Scott and John Van Court have Corporators.

Proviso.

perpetual succession and be capable and able to sue and be sued, plead and be impleaded in all courts of record or elsewhere, to have a common seal and the same to alter and renew at their pleasure, to purchase, have, take, hold and enjoy estates, real and personal, goods, chattels and effects of all kinds, whatsoever, and to sell, alienate, grant, mortgage, assign, transfer, and encumber the same as fully, completely and largely as any natural person can now do or may hereafter be enabled to do by the laws of this State: *Provided*, That the real estate to be held by said corporation shall be such only as may be necessary for the accommodation of the said corporation as a place of business, or that may have been purchased by it at sales under executions issued upon judgments or mortgages owned and held by said corporation.

Object.

SECTION 2. That the objects of the said corporation shall be to receive in trust or deposit such sums of money of five dollars and upwards as may be confided to it by individuals, courts or corporate bodies, and to invest and improve the same at interest or mortgages of improved and productive real estate, free from all prior incumbrances, or in the public stocks of the United States or of this Commonwealth, or in the loans of any city, county or municipal corporations of this Commonwealth, or in such other securities as the institution may deem most expedient, having reference to adequate assurance; the corporation shall also have power to make annuities, grant insurance on health and lives for a limited term, or otherwise, and to charge such commission on the business it shall be called upon to transact as it may from time to time determine; depositors of monies shall receive such deposit books or other evidences of the indebtedness of the corporation as may be found necessary or convenient; but no evidence of any deposit shall be issued in the nature or form of a bank note, no officer, member or clerk in the service of the corporation shall have any loan made to him from the funds thereof, or be allowed in any way to become indebted thereto.

Rate of interest.

SECTION 3. That the rate of interest to be allowed by said corporation, shall from time to time be published in one or more of the newspapers of the city of Philadelphia; and at least once in each year, such interest shall be carried to the credit of the respective depositors, and become additional capital bearing interest; but no interest shall be allowed on any sum less than five dollars, nor upon any fractional part of a dollar, nor shall interest be allowed or credited for a fractional part of a month.

Deposits and accumulated interest payable to depositor.

SECTION 4. That in all cases, unless otherwise specially agreed upon between a depositor and the said corporation, the deposits and accumulated interest thereon shall be payable to the depositor, or his, her or their legal representatives upon two week's notice, and the interest shall cease and determine upon any deposit from and after the day such notice may have been given; and it shall be the duty of the treasurer of said corporation to enter in the deposit book, or upon the evidence of the depositor, should there be such evidence, the giving of such notice and date, and attest the same with his signature; and in default of payment at the time so designated, such proceedings may be had against the said corporation, for the recovery of deposited money and interest thereon, as are now, or may hereafter be authorized by the laws of this Commonwealth for the recovery of debts of like amount.

SECTION 5. The officers of the said corporation shall be a Officers.  
 president and treasurer, who shall be chosen annually by the  
 members of the corporation, and who shall perform such duties,  
 receive such compensation for their services, and give such se-  
 curity for the faithful discharge of their duties, as the said cor-  
 poration may, from time to time by its by-laws require, and such  
 other clerks and servants, as the members of the said corpora-  
 tion may deem necessary for conducting the business thereof,  
 may be employed under such regulations as to duties, security  
 and compensation, as may be found expedient; but no member  
 of the said corporation, except the president and treasurer, shall  
 receive any compensation for his services.

SECTION 6. That for the purpose of protecting the interests, Capital stock.  
 and securing from loss the depositors in said corporation, the  
 corporators named in the first section of this act, and their as-  
 sociates and successors, shall have power and authority to re-  
 ceive subscriptions for, and dispose of capital stock in the insti-  
 tution, to an amount not exceeding two hundred thousand dollars,  
 in shares of one hundred dollars each, and to declare dividends  
 upon the actual profits arising from the same, and the business  
 of the corporation.

SECTION 7. That the said corporation, which at no time shall Corporation not to  
consist of more  
than twenty-one  
members.  
 consist of more than twenty-one members, shall meet at least  
 once in each month, at such time as may be fixed by the by-  
 laws, seven members shall constitute a quorum for the transac-  
 tion of business; in case of the death, resignation or disqualifi-  
 cation of any member, it shall be the duty of the survivors, at  
 their first stated meeting after the happening of any vacancy, to  
 make nominations for filling the same, and at their next stated  
 meeting thereafter, to choose three persons, to be presented to  
 the judges of the court of common pleas for the city and county  
 of Philadelphia, from whom the said judges may select one per-  
 son to fill such vacancy; and if the said judges shall decline to  
 appoint any one of the persons so named, it shall be the duty of  
 the members of the said corporation, in like manner, to nomi-  
 nate and present three other persons, until the said judges shall  
 therefrom fill such vacancy; and the said corporation shall have Vacancies.  
 power to make such by-laws for the regulation and conducting  
 of the business thereof, as may be found necessary, the same not  
 being inconsistent with this act, or with the constitution and  
 laws of the United States or of this State.

SECTION 8. In case the said corporation shall abuse or misuse Reservation.  
 the powers granted to them by this act, it shall be lawful for the  
 Legislature at any time, to repeal or alter the same, and provide  
 by law for the settlement and closing of the affairs thereof: *Pro-*  
*vided however,* That no injustice shall be done to the corpora- Proviso.  
 tors.

JOHN CESSNA,  
*Speaker of the House of Representatives.*

BENJN. MATTHIAS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, one thousand eight hun-  
 dred and fifty-one.

WM. F. JOHNSTON



No. 752.

## AN ACT

Authorizing the Governor to incorporate a Company to build a Toll Bridge over the Red Bank creek, at or near where the Bedford and Franklin road crosses said creek, in Clarion county, to be called the Lawsonham Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

R. D. Lawson, Jacob Duncan, Adam John, Daniel Stropp, Dr. J. D. Skeer, Lindsey C. Print, Jeremiah Bower and Thomas F. Newell, all of Armstrong and Clarion counties, be and they are hereby appointed commissioners, or a majority of whom shall be a quorum, and shall have power to appoint one of their number, if necessary, and to fill vacancies, and to do and perform the several duties hereinafter mentioned, that is to say,

Form of subscription

they shall, on or before the first day of May next, procure a book or books, and enter therein as follows: We, whose names are hereunto subscribed, do promise to pay unto the president, managers and company authorized to erect a bridge over the Red Bank creek, in Clarion county, for the use of said company, twenty dollars for each share of stock set opposite our respective names, in such manner and proportions and at such time and places as shall be determined by the president and managers, in pursuance of an act of the General Assembly of this Commonwealth, entitled "An Act to authorize the Governor to incorporate a company to build a toll bridge over Red Bank creek, at or near where the Bedford and Franklin road crosses said creek, in Clarion county, to be called the Lawsonham Bridge company." Witness our hands, this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and fifty\_\_\_\_\_;

Notice

and shall thereupon give notice, in one newspaper in Clarion county, and one newspaper in Armstrong county, for one calendar month at least, of the times and places when and where the said book or books shall be opened, to receive subscriptions for the stock of said company, at which times and places some one of the said commissioners shall attend, and shall keep open said book or books at least six hours in every day for three judicial days, if so many shall be necessary, and allow any person of the age of twenty-one years to subscribe therein, in his own name or in the name or names of any person or persons by whom he shall be authorized so to do, for any number of shares in said stock, until fifty shares shall be subscribed, when the books shall be closed; but if the whole number of shares should not be subscribed, the said commissioners may adjourn to such times and places as they may think proper, and give such further notice as they may see necessary; and when the subscriptions shall amount to one hundred shares as aforesaid, the books shall be closed: *Provided always, That every person offering to subscribe in his own name, or in that of any other person, shall, at the time of subscribing, pay to the attending commissioner or commissioners, one dollar for every share for which he shall subscribe, out of which money shall be de-*

Who may subscribe.

Provided

frayed the expenses of taking such subscriptions and other incidental expenses and charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized, and the officers thereof chosen as hereinafter directed.

SECTION 2. That when fifty shares of stock shall have been subscribed, the said commissioners, or a majority of them, shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the Governor, and thereupon it shall and may be lawful for the Governor, by letters patent under his hand and the seal of the State, to create and erect the subscribers, and if the subscription be not full at the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "The president, managers and company of the Lawsonham bridge company;" and by the said name the subscribers shall have perpetual succession and all the privileges and franchises incident to a corporation, and shall be capable of holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement be thought necessary to fulfil the intent and meaning of this act, and of purchasing, taking and holding to them, their successors and assigns, and of selling transferring and conveying in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Letters patent

Style.

Privileges.

SECTION 3. That the three first named persons in the letters patent, as soon as conveniently may be after the sealing of the same, shall give notice in two or more public newspapers in the counties of Armstrong and Clarion, of a time and place by them to be appointed, and not less than twenty days from the time of issuing the first notice; at which time and place the said subscribers shall proceed to organize said company, and shall choose by a majority of the subscribers by ballot, to be delivered in person, one president, six managers, and one treasurer, who shall serve until other officers shall be elected or chosen lawfully, as hereinafter directed, and may make such rules, orders, regulations and by-laws not inconsistent with the constitution and laws of this Commonwealth, as shall be found necessary for the well ordering of the affairs of the said company, and generally to have all the powers, authorities and privileges necessary for erecting, maintaining and keeping in repair the said bridge.

Organization.

Officers.

SECTION 4. That a public meeting of the said stockholders shall be held annually, at such time and place as shall be fixed by the rules and by-laws of the said company, for the purpose of choosing officers for the ensuing year, and the transaction of such business as may come before them: *Provided*, That no person shall have more than ten votes at any election or in determining any question arising at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share under ten.

Annual meeting of stockholders

SECTION 5. That the president and managers shall procure certificates of stock in the said company, which shall be signed by the president, and countersigned by the treasurer, and sealed

Certificates of stock.



with the seal of the corporation ; and each stockholder shall be entitled to a certificate for each share by him subscribed or held on paying to the treasurer, in part of the sum due thereon, two dollars on each share, which certificate shall be transferable either by the owner in person or by his attorney duly authorized, in the presence of the president or treasurer for the time being, subject however, to the payments due or to become due thereon, and the person to whom such transfer shall be made shall stand in the place of the former holder, and be entitled to the same privileges, and liable to the same responsibilities to the company.

Meeting of president and managers.

SECTION 6. That the president and managers shall meet at such times and places, and be convened in such manner as shall be prescribed by the by-laws, at which meetings five members shall form a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of all their transactions fairly entered in a book, and at any such meeting a quorum being present, they shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers, as they shall think necessary for the erection or construction of the same or any part thereof ; they shall also determine the times, manner and proportions in which the stockholders shall pay the money due on their respective shares ; draw orders on the treasurer for the money necessary to pay salaries, wages and bills for work or material, or on account of contract, which orders shall be signed by the president or in his absence by a majority of the quorum and countersigned by the clerk, and do and transact all such matters and things as by this act or the by-laws of the company shall be committed to them.

Instalments, payment of.

SECTION 7. That if any stockholder, after thirty days' notice given in two or more newspapers printed in said counties, on the time and place appointed for payment of any instalment of the capital stock, shall neglect to pay such instalment at the time appointed, every such stockholder or his assignee, shall in addition to the proportion so called for, pay legal interest for every such delay of payment, and if he does not pay after notice be given him, then at the option of the company, such share shall be forfeited to the company, and may be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor, or the president and managers may sue for and recover the same before any justice of the peace, or before any court of competent jurisdiction.

Increase of number of shares.

SECTION 8. That whenever it shall appear to the said president, managers and company, at any general or special meeting that the said bridge cannot be completed without extending the number of shares, the same shall be extended under the direction of such meeting so far as may be necessary to complete said bridge which additional shares shall be sold by the president and managers, and shall entitle the holder to the same rights and privileges as those originally subscribed.

Property to be vested in company.

SECTION 9. That when a safe passage may be had across said bridge the property of the same shall be vested in the said company, their successors and assigns forever, and the said company, their successors and assigns are hereby empowered to erect gates, and demand and receive toll at not exceeding the following rates, to wit : For every score of sheep, six cents ; for every score of hogs, ten cents ; for every score of cattle, twenty cents :



and so for a greater or less number; for every horse or mule, three cents; for every horse or rider, five cents; for every foot passenger, two cents; for every sulkey, chair or chaise, with one horse and two wheels, ten cents; for every charriot, coach, phaeton or chaise, with two or more horses, with four wheels, ten cents per horse; and for every carriage of pleasure the like sum under whatever name it may pass; for every stage wagon with two horses, ten cents; for every such wagon drawn by four horses, twenty cents; for every sleigh, five cents for every horse drawing the same; for every sled, three cents for every horse drawing the same; for every wagon or cart, five cents for every horse drawing the same; and two oxen shall be estimated equal to one horse: *Provided*, That said bridge shall be constructed as to admit any load not exceeding five tons, and drawn by not more than eight horses or oxen at all times to cross it, and the said president and managers, however, to have the power to increase the toll to be demanded for any carriage of burden crossing the said bridge laden with more than three tons, to any amount not exceeding treble the above rates, and to grade them according to the weight of the load, and the number of horses drawing the same: *And provided also*, That no toll shall be demanded from any person attending funerals, churches, schools or going to or returning from any militia trainings.

Tolls.

Proviso.

SECTION 10. That if the said company or their successors, or any person or persons by their authority, shall collect or demand any greater amount of tolls for passing said bridge than what are hereinbefore prescribed and specified, or shall neglect to keep the same in good repair, or to keep a list of the rates of toll placed near the bridge, on six days notice given by or from any justice of the peace of said county, they so offending shall for every such offence forfeit and pay the sum of thirty dollars, to be recovered as debts of the same amount are recoverable, one moiety thereof to go for the use of the poor of the county, the other moiety for the use of the person who shall sue for the same, but no suit shall be brought unless commenced within thirty days after the offence shall have been committed.

Penalty for taking greater fees than are allowed.

SECTION 11. That the said president and managers shall keep a just and true account of all moneys received as toll for crossing said bridge or otherwise, and shall make and declare a dividend of the profits and income, after deducting costs, charges and expenses, and shall on the first Monday's of May and November of every year, publish the dividends to be made of the clear profits thereof amongst the stockholders, of the time and place, when and where the same shall be paid, and shall cause it to be paid accordingly: *Provided*, That it shall be lawful for the said president and managers, in making and declaring any dividends, to reserve such sum or proportion of the clear semi-annual income, not exceeding one per cent. on the capital stock, as they may think proper, to form a contingent fund for the purpose of repairing and re-building said bridge in case of decay or injury, and the same to invest in such security or in such stock as they shall deem safe and productive, and the interest arising therefrom again to invest, and the same stock to sell or transfer, at any time when the funds may be required or disposed of to advantage to said company.

Accounts to be kept.

Proviso.

Oaths of officers.

SECTION 12. That it shall be lawful for the president and managers aforesaid, to cause the toll collector or collectors, or watchman or watchmen of said bridge, to take and subscribe on oath or affirmation before a competent officer to administer the same, of said county, that he or they will faithfully conduct themselves in their respective stations and honestly account to the treasurer of the company, all the money collected by him or them, and diligently attend to the discharge of his or their duty, by watching with vigilance over the interest of the company and safety of the bridge, and generally to execute with care and fidelity whatever lawful engagement he or they may enter into with the president and managers of said bridge.

Penalty for injury to works.

SECTION 13. That if any person or persons shall wilfully pull down, break, injure or destroy any part or parts of said bridge or any toll house, gates, bars, or other property of the said company, appurtenant thereto, or erected for the use or convenience of said bridge, or of the person employed in attending to the same, or shall wilfully, without the consent or order of said corporation, deface or destroy any list of the rates of toll affixed in any place or places for the information of passengers and others, or who shall wilfully and maliciously obstruct or impede the passage on or over the said bridge or any part or parts thereof, he, she or they so offending, shall each of them forfeit and pay for every such offence to the said corporation, the sum of twenty dollars, to be recovered before any justice of the peace, as debts of a like amount are recoverable, and if any person shall be guilty of carrying a lighted cigar, pipe, or fire in any manner whatever, over said bridge, except in a lantern or in some vessel secured, so that the possibility of setting fire to the bridge shall be fully prevented, or who shall fire any squib, cracker, rocket or other fire works, or who shall discharge any gun, pistol or other fire arms on said bridge, so that said bridge might by possibility be fired or injured thereby, he or they so offending shall forfeit and pay to the said corporation, the sum of five dollars for every such offence, to be recovered as aforesaid; but no suit shall be brought for any of the aforesaid offences unless commenced with thirty days after such offence shall have been committed, and he or they so offending shall remain liable to actions at the suit of said corporation for such wrongs, if the said sum or sums herein mentioned be not sufficient to repair and satisfy said damages.

Subscriptions.

SECTION 14. That the county commissioners, of the counties of Clarion and Armstrong, with the approbation of the judges of the courts of quarter sessions and grand juries of said counties, respectively, are hereby authorized to subscribe for any number of shares, for each of said counties, respectively, not exceeding one hundred shares, for the use of the county, of the stock of said company, upon the same conditions and terms as individuals, and upon such subscription made, shall have the right to vote at the annual and other elections and meetings of said company as stockholders.

Commencement and completion of bridge.

SECTION 15. That if the said company shall not proceed to carry on said work within two years after they shall have been incorporated, or shall not within the space of five years thereafter, complete the said bridge, it shall and may be lawful for the Legislature of this Commonwealth, to revoke the charter of said company, except so far as may be necessary to wind up its

affairs; and it shall be lawful for the Legislature to resume all, and singular the rights, liberties and privileges hereby granted to said company.

JOHN CESSNA,  
*Speaker of the House of Representatives.*

BENJ'N. MATTHIAS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, one thousand eight hundred and fifty-one.

WM. F. JOHNSTON.



## APPENDIX—1850.

No. 753.

## A N A C T

To incorporate the Marshallton Methodist Episcopal Church.

**CORPORATION.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Marshallton Methodist Episcopal church, in the county of Chester, is hereby erected into a body corporate and politic, in deed and in law, by the name, style and title of "The Marshallton Methodist Episcopal Church," and by the same name shall have perpetual succession, and be able to sue and be sued in all courts of law, and elsewhere, and shall be able and capable in law and equity, to take and hold lands and tenements, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which are now or shall hereafter become the property of the said church, by gift, grant, bargain, sale, conveyance, assurance, will, devise, bequest or otherwise, from any person or persons whatsoever, capable of making the same, and the same to grant, bargain, sell or dispose of, at pleasure: *Provided always,*

**STYLE.** That the clear yearly value or income of the real and personal estate held by the said corporation, shall not at any time exceed the sum of three thousand dollars.

**PRIVILEGES.**

**PROVISO.**

**BUSINESS HOW CONDUCTED.** SECTION 2. That the business of said church shall be managed by nine trustees, who shall be chosen by ballot, by the members of said church, on the first Monday in May next, and on the first Monday of May annually thereafter; and the said trustees so elected, shall fill all vacancies which may occur in the board, and shall continue in office until their successors are chosen, as aforesaid.

**TRUSTEES.** SECTION 3. That Solomon Conner, Alban Hook, Daniel Myers, Moser P. Hidleson, James Patton, William Walker, Robert E. Smith, William H. Thompson and Moses Woodward shall constitute the board of trustees for said church, until others are elected according to the provisions of this act.

**BY-LAWS.** SECTION 4. That said trustees and their successors shall have full power to enact and enforce such by-laws as they may think proper, for the regulation and transaction of the business of the said church, and to change the time hereinbefore appointed, for the election of trustees, to such other time as to them may seem more convenient: *Provided always,* That the said by-laws or any of them, shall not be repugnant to the constitution and laws of the United States or of this Commonwealth, or to this instrument and charter.

SECTION 5. Any five members of the board of trustees afore- Quorum  
said, shall constitute a quorum, for the transaction of any busi-  
ness pertaining to the said church.

J. S. M'CALMONT,  
*Speaker of the House of Representatives.*

V. BEST,  
*Speaker of the Senate.*

APPROVED—The ninth day of May, one thousand eight hun-  
dred and fifty.

WM F. JOHNSTON

# APPENDIX—1849.

No. 754.

## A SUPPLEMENT

To an act to incorporate the Bradford Railroad and Coal Company.

Act revived.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That the act entitled “An act to incorporate the Bradford railroad and coal company,” approved the twenty-eighth day of May, one thousand eight hundred and forty, be, and the same is hereby revived: <i>Provided,</i> That the capital stock of said company shall be reduced to one hundred and fifty thousand dollars, and the value of the shares to twenty-five dollars each: <i>And provided further:</i> That Christopher L. Ward, Abraham R. Perkins, William H. Winder, Samuel Ashmead, John C. Adams, and William A. Budd be additional corporators: <i>And provided further:</i> That said company shall pay to the State Treasurer one per centum on its capital stock, in three instalments of five hundred dollars each, the first to become due and payable within one year after the completion of their railroad, and the remaining two instalments at intervals thereafter, of twelve months each.
Proviso.	
Proviso.	
Proviso.	
Votes.	SECTION 2. That the sixth section of the aforesaid act be so altered and amended, that each share of stock shall be entitled to one vote.
Repeal.	SECTION 3. The twentieth section of the aforesaid act be, and the same is hereby repealed, and in lieu thereof, if the said corporation shall not commence the construction of the said railroad within the term of one year, and complete the same as far as the coal land in Franklin township, within three years from the completion of the North Branch division of the Pennsylvania canal to the State line, then this supplement shall be null and void.
Powers and duties.	SECTION 4. That the said corporation shall have power to construct a canal or slack water navigation from the pool above the dam of the river Susquehanna, and below the bridge over the same, at the borough of Towanda, up the valley of the Towanda creek not exceeding five miles; and in the construction of said canal or slack water navigation, in the obtaining materials therefor, in the ascertainment and settlement of damages, in the rates of toll for transportation thereon, and in all matters connected therewith, shall have the same rights and privileges, and be subject to the same restrictions as are provided for in



the eleventh, twelfth and seventeenth sections of the act to which this is a supplement: *Provided*, The plans for the connection of said canal with the State works shall be approved by the board of canal commissioners: *And provided further*, That nothing contained in the tenth section of the aforesaid act shall prevent the corporation from extending their railroad to the New York state line at such point as the directors may determine. .

Proviso.

Proviso.

WILLIAM F. PACKER,  
*Speaker of the House of Representatives.*

GEO. DARSIE,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

## APPENDIX—1848.

No. 755.

## A N A C T

To incorporate the Drake's Ferry and Broad Top Railroad Company.

Commissioners.

Form of subscrip-  
tion.Notice to be  
given.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Lyon, Joseph Ottinger, of Bedford county, John Brewster, Alexander Gwin, Jacob Cresswell, A. P. Wilson, John M'Lain, junior, Robert Speer, John Sharrer, Thomas F. Cromwell, of Huntingdon county, Theodore Franks, of Mifflin county, E. S. Howard, John Dougherty, of Blair county, Calvin Blythe, John Savage, and William M. Meredith, of the city of Philadelphia, or any five of them, be and they are hereby appointed commissioners to perform the several things hereinafter mentioned, that is to say, they shall procure books in which shall be entered as follows: We, whose names are hereunto subscribed, do promise to pay to the president and directors of the Drake's Ferry and Broad Top Railroad company, the sum of fifty dollars for each share of stock set opposite to our names, respectively, in such manner and proportions and at such times and places as shall be determined on by the president and directors of said company, in pursuance of an act of the General Assembly of this commonwealth, entitled "An Act to incorporate the Drake's Ferry and Broad Top Railroad company. Witness our hands, this ——— day of ———, in the year of our Lord one thousand eight hundred and ———."

SECTION 2. It shall be the duty of said commissioners, or any three of them, to give notice in one paper printed in the city of Philadelphia, one or more in the borough of Huntingdon, and one or more in the borough of Bedford, for six weeks at least, of the time and places when and where said books shall be kept open to receive subscriptions for the stock of said company, at which respective times and places one or more of the commissioners shall attend, and permit all persons, of lawful age, who shall offer to subscribe in the said books, in their own names or in the names of any other persons who shall authorize the same, for share in said stock; and the said books shall be kept open for the said purpose, at least six hours in each judicial day, for the space of six days; and if the books aforesaid shall not have the whole number of five thousand shares subscribed therein, the said commissioners aforesaid may adjourn from time to time, and transfer the book or books from place to place, until the said whole number of five thousand shares shall

be subscribed, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares shall be subscribed, then the books shall be closed.

SECTION 3. That when one thousand shares of stock, or more, of the said company shall have been subscribed, and five dollars paid on each and every share, it shall be the duty of said commissioners, or any three of them, to certify to the Governor a statement, under their hands and seals, of the names of the subscribers, and the number of shares subscribed by each, and the sums paid thereon, whereupon the Governor shall, by letters patent, under the seal of the Commonwealth, create and erect the subscribers, and if the subscription shall not be full at the time, then those who shall thereafter subscribe to the number of shares aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of the Drake's Ferry and Broad Top Railroad company; and by the said name, the subscribers shall have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and be able to sue and be sued, to plead and be impleaded in all courts of record and elsewhere, to have a common seal, and the same to alter and renew at pleasure, to make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of the United States and of this Commonwealth, and generally to do and execute, for the well-being of said company, whatever shall lawfully pertain to such bodies politic: *Provided*, That each stockholder shall be liable, in his individual capacity, for the debts and performance of all contracts entered into by the said company, to the amount of the balance unpaid on the stock by him subscribed, respectively.

Letters patent.

Style.

Privileges.

Proviso.

SECTION 4. That the said persons or a majority of them shall, as soon as conveniently may be after the letters patent shall be obtained, give at least twenty days previous notice in the newspapers hereinbefore mentioned, of the time and place appointed for the subscribers to meet, and to choose by a majority of votes of the subscribers by ballot, to be given in person or by proxy duly authorized, which proxy shall have been obtained, and bear date within one month previous to the election at which such proxy shall be presented, one president and six directors, a treasurer and secretary, and such other officers as may be deemed necessary; and the president and directors aforesaid, shall conduct the business of said company until the second Tuesday of January then next, and until like officers shall be chosen, and shall at each annual meeting of the stockholders, or as often as required by a majority of the stockholders, shall exhibit to them a full, minute, and fair statement of the accounts and affairs of said company under oath or affirmation, and the said treasurer shall be required to give a bond, with approved security, for the faithful performance of the duties of said office.

Officers to be elected.

SECTION 5. That the stockholders shall meet on the second Tuesday of January annually, after the organization of said company, at such place as may be fixed by their by-laws, and after having chosen two stockholders, who shall not be directors for the time being, and who shall take and subscribe on oath or affirmation before some qualified officer to act as judges, and conduct said election fairly and impartially, to the best of their judgment, choose by a majority of votes present, their officers for the ensuing year, as mentioned in the fourth section of this

Meeting of stockholders.



Proviso.

Proviso

act: *Provided*, That if the stockholders should, at any time, neglect to meet as aforesaid, the president and directors shall have power to order an election at any time, by giving ten days' notice in the newspapers before mentioned: *Provided further*, The number of votes to which each stockholder shall be entitled, shall be according to the number of shares he or she shall hold, in the proportions following, that is to say, for every share not exceeding ten shares, one vote; for every two shares above ten, and not exceeding twenty shares, one vote; but no share shall confer a right of suffrage, which shall have been transferred within three months prior to the day of election, or upon which any instalments or arrearages shall have been due and payable, for more than thirty days previous to said election.

Engineers, &c.,  
employment of

SECTION 6. That the president and directors of said company shall have full power to employ competent engineers to survey, lay down, and fix the route for said railroad, with as many tracks as they may deem necessary, beginning at the Pennsylvania canal, near Drake's ferry, in Huntingdon county, thence to the Broad Top coal region, in Huntingdon and Bedford counties, and shall have the right of extending said road, or constructing lateral railroads to Hopewell iron works, in Bedford county, and to such coal mines on Broad Top, as may from time to time be found expedient; and said company shall also have full power to transact the usual business of companies engaged in transporting passengers, coal, lumber, merchandize, and all other commodities; and the capital stock of said company shall only be employed in constructing said railroads, and the purchasing and holding the necessary land for depots and water stations, with the improvements, if any thereon, and in constructing such buildings and improvements, cars, engines and machinery, as may be necessary or useful for constructing said road transporting coal, lumber, and all other commodities, and in payment of such salaries, wages, and other expenditures as shall be requisite for the purposes aforesaid of the said company; and the said president and directors of said company, before they shall determine and adopt the route for the location of said road, shall cause to be made an exploration and survey of a route through Hill valley, by the Three Springs, by Broad Top mountain, and shall adopt and locate the road upon the best and most practicable route.

May enter upon  
lands.

SECTION 7. That the president and directors, by and with their superintendents, engineers, artists and laborers, with their wagons, carts, tools or any other necessary instruments used or occupied in the construction of said road, together with all beasts of burden, may enter on and occupy any lands near the railroad, and from thence to take and carry off for the use of said road, any timber, stone, gravel, or any other materials necessary in the construction of said road, doing as little injury to the land as possible, and repairing any fences or enclosures they may have occasion to open, and making amends for all damages done thereto; also said company shall have privilege to occupy all lands on which said roads or depots, warehouses, engines, water-stations, weigh-scales, and other necessary fixtures, may be located, which may be necessary or useful in the construction and repairs of said road; also to dig, make embankments, and construct the same in the most permanent manner, and the said company shall pay or satisfy the owner or owners of the ground aforesaid occupied by said road, and if the parties cannot agree upon the

compensation to be made to such owner or owners, it may be lawful and it is hereby authorized for the parties to choose five disinterested persons, residing in the counties of Huntingdon or Bedford, who shall take an oath or affirmation to assess the damages fairly, according to their knowledge and belief, and if the parties cannot agree on the men thus named, then either, after giving twenty days notice to the other party, may apply to one of the judges of the court of common pleas for the county in which said road is located, who shall issue a venire directed to the sheriff, to summon a jury of five judicious and disinterested men to assess the damages and make report to the court, after first taking an oath or affirmation and going on the ground, and fairly assessing the advantages and disadvantages to the owner or owners of said land by reason of the construction of said railroad, which report being confirmed by the court, judgment shall be entered thereon, and execution may issue in case of non-payment for the sum awarded, together with costs as in other cases, and the said jury shall receive for their services one dollar for each day necessarily employed: *Provided*, That nothing herein contained shall be so construed as to authorize the said company to take private property without making compensation to the owners thereof, or giving adequate security therefor before such property shall be taken.

SECTION 8. That the said president and directors shall procure certificates or evidences of stock, for all the shares of said company, and shall deliver one or more certificates, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for the number of shares by him or her subscribed or held, which certificates or evidences of stock shall be transferrable at his or her pleasure, in person or by attorney duly authorized, in the presence of the president and treasurer, who shall keep a book for that purpose, and the assignee holding any certificate having first caused the assignment to be entered in a book of the company to be kept for the transfer of stock, shall be a member of said corporation, and for every certificate assigned to them as aforesaid, shall be entitled to one share of the capital stock of all the estates and emoluments of the company incident to one share, and to vote as aforesaid at the meetings thereof, subject to all penalties and forfeitures, and to be sued for all the balance and penalties due or to become due on each share. Certificates of stock.

SECTION 9. The directors may from time to time call in on thirty days notice thereof, in at least two newspapers, in the counties of Huntingdon and Bedford, such instalments on the stock of said company, as they may judge best, not exceeding twenty per cent. thereof, at any one time and place appointed; and if any instalment on the stock so called in, shall remain unpaid for the space of thirty days, from the time so appointed, every such stockholder or his or her assignee shall, in addition to the instalment so called for, pay at the rate of two per centum per month, for the delay of such payment, and if the same and additional penalty remain unpaid for such a length of time, as that, the accumulated penalty shall become equal to the sums before paid in part, and on account of such shares the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same, or in default of payment, by any stockholder of any such instalment as aforesaid, the president and directors Instalments.



Proviso. may at their election, cause suit to be brought, before an alderman or justice of the peace, or in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election or at any general or special meeting of the said company, on whose share or shares, any instalment or arrearages may be due, and payable more than thirty days previously to said election or meeting.

Rules and regulations. SECTION 10. That it shall be lawful for the president and managers from time to time to ordain and establish rules and regulations for the due ordering of traveling and transportation on the said road, and for its preservation, with power to alter, amend or enlarge the said rules and regulations, and they shall have full power to prescribe the description of cars and other vehicles to be used on said road, and to regulate the speed at which they shall travel.

Tolls. SECTION 11. That the said company shall be entitled to receive toll from all persons traveling on said railroad, not exceeding two cents per mile, on mineral coal not exceeding three cents per ton per mile, and on any other species of property not exceeding four cents per ton per mile.

Dividends. SECTION 12. That dividends of so much of the profits of the company as shall appear to the directors advisable, shall be declared twice a year, and paid to the stockholders, or their legal representatives, on demand, at any time after the expiration of ten days after having been declared, but said dividend shall in no case exceed the net profits actually acquired by the company, so that the capital stock shall not thereby be impaired, and if any dividend shall be declared which shall impair the capital stock of the said company other than is provided for in the following section, each and every director assenting thereto shall be liable in their individual capacities to said company for the amount of stock so divided.

Semi-annual interest. SECTION 13. That the president and directors are hereby authorized to pay semi-annually an interest, at the rate of six per centum per annum to such person or persons as shall have paid all or any part of their subscriptions to the capital stock of said company: *Provided*, Such interest shall be paid only during the progress of the construction of such railroad, or until the whole amount of stock required to complete the said railroad shall have been subscribed and paid.

Tax. SECTION 14. That the company shall annually pay into the treasury of the Commonwealth a tax of six per centum on all dividends which may exceed twelve per centum on the stock actually paid in.

Railroad not to interfere with public roads. SECTION 15. That the said railroad shall be so constructed as not to impede or obstruct the free use or passage of any public road or roads which may cross or enter the same, in all cases where said railroad may cross or in any manner interfere with any existing public road, the said company shall make, or cause to be made, a good and sufficient causeway or causeways to enable all persons passing or traveling on said public road to cross and pass under or over the said railroad, and if the said company shall neglect or refuse to keep such way or causeways in good repair they shall be liable to a penalty of three dollars for every day the same shall be so neglected or refused to be repaired, to be recovered by the supervisors of the township, with costs for



the use of the said township, as debts of like amount are by law recoverable.

SECTION 16. That for the accommodation of all person owning or possessing land through which the said railroad may pass it shall be the duty of the said company to make or cause to be made a good and sufficient causeway or causeways, wherev<sup>r</sup>e the same may be necessary, to enable the occupant or occupants of said lands to cross over the same with wagons, carts and imple<sup>m</sup>ents of husbandry, as occasion may require; and the said causeway or causeways, when so made, shall be maintained and kept in good repair by the said company, and if the said company shall neglect or refuse to make such causeway or causeways, or when made to keep the same in good order, the said company shall be liable to pay any person aggrieved thereby all damages sustained by such person in consequence of such neglect or refusal, to be paid for and recovered before any magistrate or court having cognizance thereof: *Provided*, That the said company shall in no case be required to make or cause to be made more than one causeway through each plantation or lot of land for the accommodation of any one person owning land through which said railroad may pass; and when any public road shall cross said railroad, the person owning or possessing land through which said public road shall pass, shall not be entitled to require the company to erect or keep in repair any causeway or bridges for the accommodation of the occupant of said land: *Provided further*, That in the event of any private bridge or causeway being converted to public use, so as to be made to accommodate a public road laid out subsequent to the passage of this act, then and in such case the company shall be forever thereafter exonerated from the duty of keeping the said bridge or causeway in repair.

Causeways to be made.

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Proviso.

SECTION 17. That no suit or action shall be brought or prosecuted by any person or persons for any penalty or penalties incurred under this act, unless such suit or action shall be commenced within nine months next after the offence shall have been committed, or the cause of action shall have accrued, and the defendant or defendants in such suit or action may plead the general issue and give this act and the special matter in evidence, and that the same was done in pursuance and by authority of this act.

Suits, time of commencement.

SECTION 18. That in all suits or actions which may be brought against said company, the service of process upon any manager, toll gather, or other officer of the company, shall be as good and available in law as if made on the president thereof.

Service of process.

SECTION 19. If any person or persons shall wilfully and knowingly break, injure or destroy the railroad or any part thereof to be erected by the said company in pursuance of this act, he, she, or they shall forfeit and pay to the said company three times the actual damages so sustained, to be sued for and recovered with costs of suit in any court having cognizance thereof by action of debt, in the name and for the use of said company.

Penalty for injuries to works.

SECTION 20. That if any increase of capital stock be deemed necessary by the stockholders to complete the said railroad or to extend the same, it may be lawful for the said company, at a stated or special meeting to be convened for the purpose, to increase the number of shares, so that in the whole they shall not exceed ten thousand shares, and to receive and demand for shares

Increase of capital.

so subscribed the monies in like manner and under like penalties as is herein provided for the original subscription, or as shall be provided for by their by-laws.

Commencement  
and completion of  
road.

SECTION 21. That if the said corporation shall not commence the construction of the said railroad within the term of three years, and finish the distance of three miles within six years from the passage of this act, then this charter shall be null and void.

Reservation

SECTION 22. That if the said company shall at any time misuse or abuse any of the privileges hereby granted, the Legislature may resume all and singular the rights and privileges granted to the said corporation: *Provided*, That no injustice be done to the corporators.

WILLIAM F. PACKER,  
*Speaker of the House of Representatives.*

WM. WILLIAMSON,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

## CERTIFICATE.

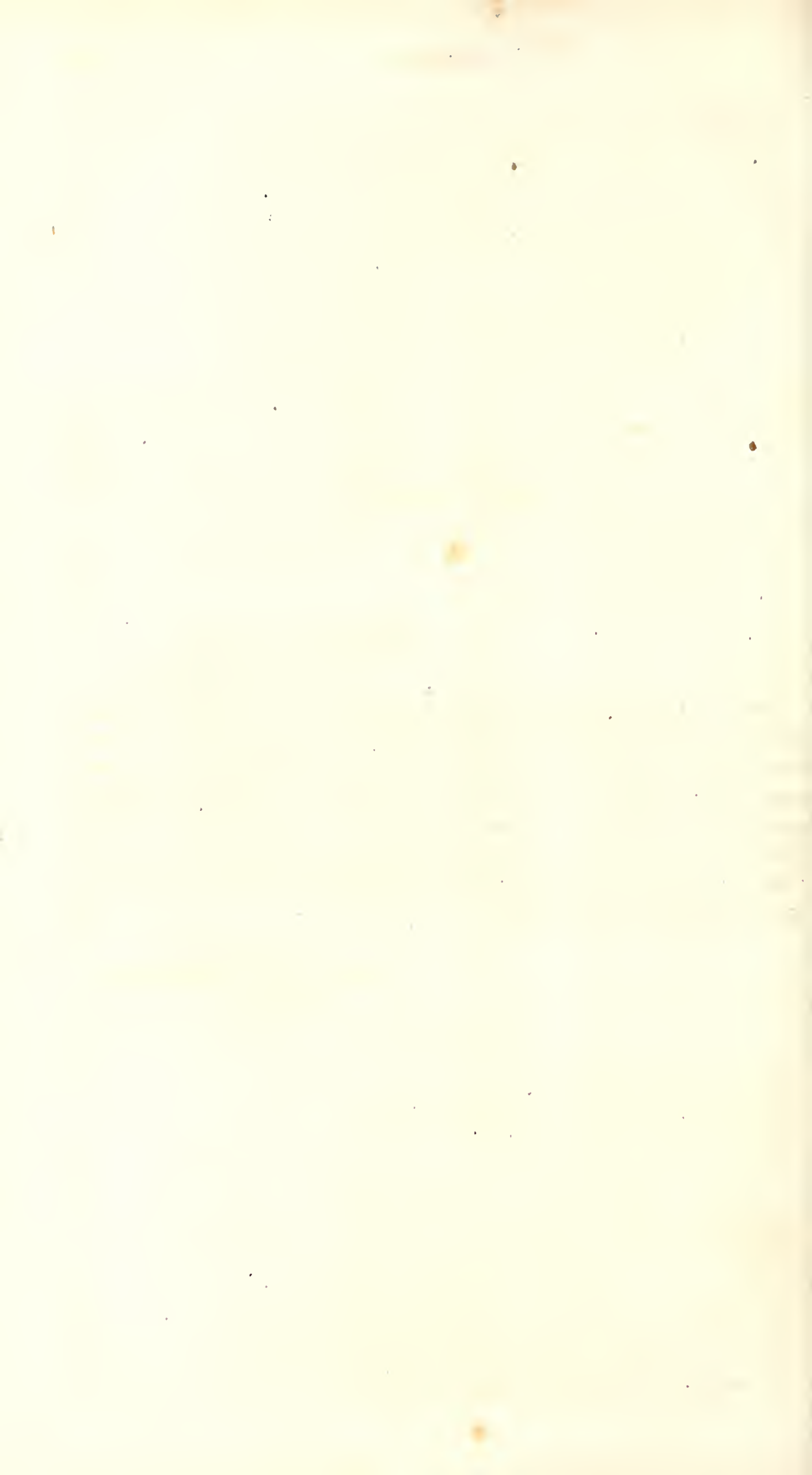
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SECRETARY'S OFFICE,  
*Harrisburg, June 7, 1854.* }

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the Session ending the 9th day of April, 1854; also, an APPENDIX, containing Laws passed at the Sessions of 1853, 1852, 1851, 1850, 1849, 1848, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1853.

C. A. BLACK,  
*Secretary of the Commonwealth.*





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